

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI
AND
THE HON'BLE SRI JUSTICE NAMAVARAPU RAJESHWAR RAO

Writ Petition Nos.19422 and 19502 of 2004

COMMON ORDER : *(Per Hon'ble Sri Justice Abhinand Kumar Shavili)*

Since the issue involved in both these Writ Petitions is one and the same, both these Writ Petitions are being disposed of by this common order.

2. Heard the learned Standing Counsel for the Central Government, for the petitioners and Mr.E. Krishna Swamy, learned counsel for the respondent.

3. Learned Standing Counsel for the petitioners has reconstituted the files and the matters are taken up for hearing to-day.

4. A perusal of the record discloses that the respondent is a retired employee, and the petitioners have initiated disciplinary proceedings against the respondent by issuing a Charge-Memo on 09.11.1998 and also appointed an enquiry officer; the Tribunal was pleased to set aside the disciplinary proceedings initiated against the respondent and also appointment of enquiry officer; aggrieved by the same, the present Writ Petitions are filed; in the affidavit filed in support of the writ petition at para no.7, it is stated by the petitioners that the respondent was paid full pension, and all his terminal benefits were released in pursuance of the order passed by the Tribunal

in O.A.No.980 of 2003 and O.A.No.1361 of 2003, dated 10.06.2004.

5. We are in the year 2022, and by now, the respondent must be around (85) years old. Therefore, at this point of time, this Court is not inclined to interfere with the order passed by the Tribunal in O.A.No.980 of 2003 and O.A.No.1361 of 2003, dated 10.06.2004, more so, the petitioners have released the pension and terminal benefits in favour of the respondent. Therefore, we are not inclined to interfere with the order passed by the learned Tribunal in O.A.No.980 of 2003 and O.A.No.1361 of 2003, dated 10.06.2004. Therefore, both the Writ Petitions are liable to be dismissed.

6. Accordingly, the Writ Petitions are dismissed with the above observations. No costs.

7. As a sequel, miscellaneous applications pending if any in these Writ Petitions, shall stand closed.

ABHINAND KUMAR SHAVILI, J

NAMAVARAPU RAJESHWAR RAO, J

Date : 13.10.2022
Ndr