

THE HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR

WRIT PETITION(TR) No.1835 of 2017

ORDER:

Heard learned counsel for the petitioner and learned Government Pleader for Services-I appearing for respondents. With the consent of both the parties, the writ petition is being taken up for disposal.

2. This writ petition has been filed seeking to “declare the action of the 2nd and 3rd respondents in not treating the period of suspension from 27.01.2006 to 29.09.2008 as on duty as arbitrary, illegal, unjust discriminatory and in violation of principles of natural justice and consequently to direct the respondents to treat the period of suspension of the applicant from 27.01.2006 to 29.09.2008 as on duty with all consequential benefits”

3. Though various grounds are raised in the writ petition, learned counsel for the petitioner restricts his prayer seeking a direction to respondent authorities to dispose the petitioner’s representations, dated 28.09.2012 and 19.05.2011 by taking into consideration the Lr.No.Rc.No.C1/B2/5170/2008, dated 10.08.2011 wherein, respondent No.3 requests respondent No.2 to pass necessary orders, which reads as:

“It is further submitted that the afore said employees made a review petition to the Hon’ble minister for School Education, AP, Hyderabad on 19.05.2011 that they were placed under suspension on the allegation of supply of medicines to outlawed PWG extremists and were arrested by the Police in criminal case registered against them. The case was ended by the acquittal by the competent criminal court. In view of the

acquittal by the court no further enquiry is pending against them and as such their suspension was revoked and was reinstated in service, hence as per FR 54 (3) their suspension need to be regularized as the suspension is not justified as per verdict of court.

I therefore request the C&DSE, AP, Hyderabad to kindly take necessary action and issue orders for settlement of the above suspension period.

4. Learned Government Pleader for Services-I appearing for respondents submits that if the petitioner's representations dated 28.09.2012 and 19.05.2011 are still pending for consideration, the respondent authorities may be directed to consider the said representation and pass appropriate orders in accordance with law.

5. In view of the submission made by the both the learned counsel on either side, this writ petition is disposed of; directing respondent authorities to dispose the petitioner's representation, dated 28.09.2012 and 19.05.2011, by taking into consideration the respondent No.3 letter No.Rc.No.C1/B2/5170/2008, dated 10.08.2011, if not already considered and pass appropriate orders strictly in accordance with law, as expeditiously as possible, preferably within a period of four (04) weeks from the date of receipt of the order, after giving a fair opportunity of hearing to the petitioner and communicate the same to the petitioner.

6. Accordingly this writ petition is disposed of. Miscellaneous applications, if any pending, shall stand closed. No order as to costs.

JUSTICE N.V.SHRAVAN KUMAR

Date: 30.01.2023
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