

Kerala High Court

R. Balachandran vs The State Of Kerala Represented By on 20 February, 2008

IN THE HIGH COURT OF KERALA AT ERNAKULAM

WP(C) No. 5672 of 2008(A)

1. R. BALACHANDRAN, RATIONING INSPECTOR  
... Petitioner

Vs

1. THE STATE OF KERALA REPRESENTED BY  
... Respondent

2. THE COMMISSIONER

3. THE DEPUTY CONTROLLER OF RATIONING

4. THE DIRECTOR, FOOD AND CIVIL SUPPLIES

5. THE KERALA CIVIL SUPPLIES CORPORATION

6. THE REGIONAL MANAGER

For Petitioner :SRI.R.RAJASEKHARAN PILLAI

For Respondent :SMT.MOLLY JACOB,SC,SUPPLYCO

The Hon'ble MR. Justice V.GIRI

Dated :20/02/2008

O R D E R

V.GIRI,J.

-----  
W.P ( C) No. 5672 of 2008  
-----

Dated this the 20th February, 2008

J U D G M E N T

Aggrieved by Exhibit P5 order of punishment imposed by the 3rd respondent, the petitioner has preferred Exhibit P6 statutory appeal before the 2nd respondent and the same is pending. In the meanwhile, Exhibit P7 has been addressed to the Taluk Supply Officer by the 6th respondent requiring him to realise an amount of Rs.29,897.92 from the salary of the petitioner.

2. I have heard the learned counsel for the petitioner Mr.R.Rajasekharan Pillai, the learned standing counsel for the Civil Supplies Corporation and the learned Government Pleader.

3. I am of the view that in circumstances where Exhibit P6 appeal is pending before the appellate authority, it is appropriate that the appeal is disposed of at the earliest. It is further appropriate that recovery from petitioner's salary be kept in abeyance till orders are passed on Exhibit P6 appeal.

W.P ( C) No. 5672 of 2008 In the result, the writ petition is disposed of directing the 2nd respondent to consider and pass orders on Exhibit P6 appeal, within a period of six months from the date of receipt of a copy of this judgment. Recovery pursuant to Exhibit P7 shall stand stayed till the disposal of Exhibit P6. It is also made clear that further enforcement of Exhibit P7 shall be subject to the orders to be passed by the 2nd respondent on Exhibit P6 appeal.

(V.GIRI, JUDGE) ma W.P ( C) No. 5672 of 2008 K.THANKAPPAN,J CRL.A. NO.92 OF 1999 ORDER 25th May, 2007