

Gracy Abraham Vs. Mathai Joseph

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Court : Kerala

Decided On : Dec-03-2013

Judge : Honourable Mr.Justice S.Siri Jagan

Appellant : Gracy Abraham

Respondent : Mathai Joseph

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE C.T.RAVIKUMAR TUESDAY, THE 3D DAY OF DECEMBER 2013 12TH AGRAHAYANA, 1935 WP(C).No. 29650 of 2013 (E) ----- PETITIONER(S): ----- NO.021466575, EX-CONSTABLE JOSSY JOSEPH, 93 BATTALION, B

ORDER

SECURITY FORCE RESIDING AT KANDATHIL HOUSE, P.O.EZHACHERRY KOTTAYAM DISTRICT - 686 651. BY ADVS.SRI.S.VISHNU CHEMPAZHANTHIYIL SRI.M.J.AJITH MOHAN RESPONDENT(S): -----

1. THE DIRECTOR GENERAL, FORCE HEAD QUARTERS, B

ORDER

SECURITY FORCE CENTRAL GOVERNMENT OFFICE COMPLEX, LODHI ROAD BLOCK NO.10, NEW DELHI - 110 001.

2. INSPECTOR GENERAL, HEADQUARTERS NORTH BENGAL FRONTIER B

ORDER

SECURITY FORCE, KADAMTALA P.O. DARJELING DISTRICT, WEST BENGAL
- 734 011.

3. THE COMMANDANT, 93 BATTALION, B

ORDER

SECURITY FORCE, SALUGARA BAIKUNTHPUR, WEST BENGAL - 734 008. BY
SRI.P.PARAMESWARAN NAIR, ASG OF INDIA THIS WRIT PETITION (CIVIL)
HAVING COME UP FOR ADMISSION ON 0312-2013, THE COURT ON THE
SAME DAY DELIVERED THE FOLLOWING: WP(C).No. 29650 of 2013 (E)

----- APPENDIX PETITIONER(S)' EXHIBITS:
----- EXT.P1: TRUE COPY OF THE MEDICAL CERTIFICATE
ISSUED BY CARDINAL SPECIALTY HOSPITAL, MONIPPALLY, KOTTAYAM.
EXT.P2: TRUE COPY OF THE FITNESS CERTIFICATE ISSUED BY
CONSULTANT PSYCHIATRIST AT CARDINAL SPECIALTY HOSPITAL
DATED 45/2013. EXT.P3: TRUE COPY OF

ORDER

NO.3073/ESST/93BN/JJ/2013/8715-8690 DATED 275/2013 ISSUED BY THE 3D
RESPONDENT. EXT.P4: TRUE COPY OF THE

ORDER

NO.ESTT-1/89(CF)/NBF/2013/10991-93 DATED 138/2013 ISSUED BY THE 2D
RESPONDENT. EXT.P5: TRUE COPY OF THE APPEAL DATED 206/2013 FILED
BEFORE THE 2D RESPONDENT. EXT.P6: TRUE COPY OF THE APPEAL
DATED 29/2013 FILED BEFORE THE 1T RESPONDENT. EXT.P7: TRUE COPY
OF THE POSTAL RECEIPT. EXT.P8: TRUE COPY OF THE REPRESENTATION
DATED 2610/2013 TO THE 1T RESPONDENT. RESPONDENT(S)' EXHIBITS: NIL
----- //TRUE COPY// P.A.TO JUDGE C.T. RAVIKUMAR, J.

===== W.P.(C). No.29650
OF 2013===== Dated this the 3rd day of December,
2013

JUDGMENT

The petitioner was working as Constable under the Border Security Force in 93 Battalion. While working so, he was dismissed from service as per Ext.P3 order dated 27.5.2013. The petitioner filed Ext.P5 appeal before the second respondent against Ext.P3. The said appeal was rejected as per Ext.P4 order dated 13.8.2013. Aggrieved by Exts.P3 and P4, the petitioner preferred Ext.P8 representation dated 26.10.2013 before the first respondent. The learned counsel for the petitioner submitted that though it is described as a representation, it is a statutory revision petition. It is further submitted that the writ petition itself can be disposed of with a direction to the first respondent to consider and pass appropriate orders on Ext.P8 expeditiously and in accordance with law. W.P.(C).29650/13 2 2. I have heard the learned counsel for the petitioner and the learned Assistant Solicitor General. Taking note of the aforesaid submission, I am of the considered view that this writ petition can be disposed of, without making any observation as to the merits of the contentions raised by the petitioner, with a direction to the first respondent to consider and pass appropriate orders on Ext.P8 revision petition expeditiously and in accordance with law. In that view of the matter, this writ petition is disposed of with a direction to the first respondent to consider and pass appropriate orders on Ext.P8 revision petition expeditiously and in accordance with law, at any rate, within a period of two months from today. Sd/- C.T. RAVIKUMAR (JUDGE) spc/ W.P.(C).29650/13 3 C.T. RAVIKUMAR, J.

JUDGMENT

September,2010 W.P.(C).29650/13 4

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