

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.16531 OF 2012

DATED 20th MARCH, 2015

Between:

Ch.S.Rao

.. Petitioner

and

Andhra Pradesh State Road Transport
Corporation, Musheerabad, Hyderabad,
Rep. by its Managing Director,
And others.

.. Respondents

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.16531 OF 2012

ORDER

Though the matter is listed before this Court for hearing on the interlocutory application, learned counsel are in agreement that the matter can be disposed of finally.

By order dated 07.06.2012 this Court suspended the impugned order dated 15.05.2012 whereby the writ petitioner was placed under suspension pending enquiry. The said order reflects that an enquiry had already been held against the petitioner and report dated 07.05.2012 was submitted even before the passing of the impugned order 15.05.2012. Though a dispute was sought to be raised at that stage that the enquiry held was only a preliminary enquiry, this Court found otherwise as the enquiry report dated 07.05.2012 indicated that a charge-sheet had been issued to the petitioner and the officers concerned, including the petitioner, were examined. This Court therefore found that the enquiry was a regular enquiry as evidenced from the conclusion in the report dated 07.05.2012 to the effect that the charges leveled against the petitioner were held proved. This Court was therefore of the opinion that placing the petitioner under suspension pending enquiry after the conclusion of the regular enquiry could not be countenanced and accordingly granted interim relief. Be it noted that this Court left it open to the Andhra Pradesh State Road Transport Corporation (APSRTC) to take necessary action based on the enquiry report dated 07.05.2012.

Though WVMP No.1419 of 2012 was filed by the APSRTC to vacate the said order, it is fairly stated by Sri S.V.Ramana, learned Standing Counsel, that no action was taken against the petitioner till date based on the enquiry report dated 07.05.2012.

In that view of the matter, the writ petition is disposed of leaving it open to the APSRTC to pass appropriate orders based on the enquiry report dated 07.05.2012. The impugned order dated 15.05.2012 is set aside. Pending miscellaneous petitions shall also stand closed. No order as to costs.

SANJAY KUMAR, J

20th MARCH, 2015

PGS