

HON'BLE SRI JUSTICE R.KANTHA RAO

W.P.No.30789 OF 2015

ORDER

This writ petition is filed seeking to declare the impugned proceedings dated 23.05.2015 issued by the 3rd respondent in terminating the petitioner from the service of Field Assistant, as arbitrary and illegal.

The petitioner is the Field Assistant of Nuzellapalli Gram Panchayat, J.Pongaluru Mandal, Prakasam District. Certain charges were levelled against him and enquiry was conducted by the 3rd respondent-Project Director. Thereafter, the 3rd respondent passed the order dated 23.05.2015 removing the petitioner from service.

Learned counsel appearing for the petitioner submits that the petitioner is not at all responsible for payment of wages to the workers and therefore, the charges levelled against him are baseless. He further submits that there was no evidence before the Enquiry Officer warranting passing of removal order and hence, the order impugned is liable to be set aside.

On the other hand, learned Standing Counsel appearing for the respondents submits that there is evidence against the petitioner and hence, the impugned order was paseed.

In any event, to arrive at a decision on the issues involved in the instant case appreciation of evidence is essential. The petitioner has efficacious alternative remedy by way of appeal to the Commissioner, Rural Development.

Therefore, the Writ Petition is disposed of directing the petitioner to prefer an appeal to the Commissioner, Rural Development

within a period of fifteen days and on filing such an appeal, the Commissioner is directed to hear and dispose of the same, in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

JUSTICE R.KANTHA RAO

22nd September, 2015

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Note: Issue CC by one week.