

HON'BLE SRI JUSTICE R. KANTHA RAO

Writ Petition No.32900 of 2015

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ORDER:

This writ petition is filed seeking a writ of Mandamus declaring the impugned orders vide proceedings No.HRM/87/2015 dated 31.08.2015 issued by the 3rd respondent terminating the services of the petitioner with immediate effect, as illegal and arbitrary and consequently direct the 3rd respondent to continue the petitioner as Field Assistant of Jaldipalli Village, Lingampet Mandal, Nizamabad District.

2. Heard Sri Mohd. Moin Ahmed Quadri, learned counsel appearing for the petitioner and the learned Government Pleader for Panchayat Raj for respondents.

3. The petitioner was appointed as Field Assistant at Jaldipalli Village, Lingampet Mandal, Nizamabad District under MGNREGS on 01.04.2006. Levelling certain allegations, a show cause notice dated 17.03.2015 was issued to the petitioner by the 3rd respondent calling for his explanation. The petitioner submitted his explanation. On 14.08.2015 the 3rd respondent, again issued another notice for personal attendance of the petitioner and also to submit his explanation. On 24.08.2015 the petitioner appeared before the Enquiry Officer and explained his version, but the 3rd respondent without considering his explanation and objections, issued the impugned orders dated 31.08.2015 terminating the services of the petitioner with immediate effect.

4. Though an alternative efficacious remedy by way of appeal is available to the petitioner, he has not availed the said remedy. Therefore, the petitioner is directed to file an appeal within fifteen (15) days from the date of this order to the Appellate Authority and in turn, the Appellate Authority is directed to entertain the appeal notwithstanding any delay and dispose of the same in accordance with law,

within a period of eight (8) weeks from the date of its presentation, after giving opportunity of hearing to the petitioner.

5. The writ petition is accordingly disposed of at the state of admission. Miscellaneous petitions, if any, in this writ petition, shall stand closed. No order as to costs.

R. KANTHA RAO, J

Date: 08.10.2015

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