

HON'BLE SRI JUSTICE R. KANTHA RAO

Writ Petition No.34429 of 2015

ORDER:

This writ petition is filed seeking writ of *Mandamus* declaring the action of the 2nd respondent in suspending the petitioner from services vide proceedings dated 05.10.2015, as illegal and arbitrary.

2. Heard Sri G. Ravi Mohan, learned counsel appearing for the petitioner and Sri P. Durga Prasad, learned standing counsel for the respondents-APSRTC.

3. The petitioner is the Assistant Depot Clerk in the Corporation. A charge sheet was issued to him on the allegation that he remitted less amount of Rs.500/- in respect of the cash received from the Conductor. The version of the petitioner is that there was no *mala-fide* intention on his part in remitting the amount and it is only on account of mistake and subsequently, he remitted the deficit amount of Rs.500/- on 03.10.2015.

4. Learned counsel appearing for the petitioner submits that since it is only on account of mistake, suspending the petitioner pending enquiry is illegal and the same is liable to be set aside. On the other hand, learned standing counsel for the Corporation submits that since the order is one of suspension it need not be interfered with in the present writ petition.

5. Considering the submissions made on either side and having regard to the facts and circumstances of the case, the respondents are directed to complete the enquiry against the petitioner within a period of eight (8) weeks from the date of receipt of a copy of this order and pass final orders by duly considering the explanation offered by him, failing which the order of suspension shall stand revoked.

6. The writ petition is accordingly disposed of. Miscellaneous petitions, if any, in this writ petition, shall stand closed. No order as to costs.

R. KANTHA RAO, J

Date: 26.10.2015
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