

HON'BLE SRI JUSTICE R. KANTHA RAO

Writ Petition No.29496 of 2015

ORDER:

Heard Sri Karthik Pavan Kumar, learned counsel appearing for the petitioner, learned Government Pleader for Panchayat Raj, learned Government Pleader for revenue and Sri MSR Chandramurthy, learned special counsel for respondents 4 & 5.

2. The petitioner was appointed as a Field Assistant of Gushini Grampanchayat, Nillimarla Mandal, Vizianagaram District on 30.03.2006. On certain allegations, a charge memo was issued to the petitioner and an enquiry was conducted. Thereafter, the impugned order dated 20.07.2015 was passed by the 5th respondent terminating the petitioner from services.

3. Learned counsel appearing for the petitioner submits that the findings recorded by the Enquiry Officer are contrary to the evidence, which was let in at the time of the enquiry and grossly disproportionate punishment was imposed.

4. In any event, the appeal filed by the petitioner before the 2nd respondent on 28.08.2015 is pending and since this matter requires reappraisal of the evidence, I am not inclined to go into the merits of the case. Under these circumstances, 2nd respondent-the Commissioner, Panchayat Raj and Rural Development, is directed to dispose of the appeal dated 28.08.2015 filed by the petitioner by duly considering the explanation of the petitioner and also affording opportunity of hearing to him and pass final orders thereon in accordance with law, within a period of eight (8) weeks from the date of receipt of a copy of this order. It is further directed the respondents that till the disposal of the appeal, the post which became vacant due to

removal of the petitioner, shall not be filled up.

5. 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: 10.09.2015

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