THE HON'BLE SRI JUSTICE P. NAVEEN RAO

-

WRIT PETITION No.35739 of 2015

ORDER:

-

Petitioner is working as Senior Assistant in the Visakhapatnam Port Trust. Disciplinary proceedings are initiated against the petitioner and he was served with charge memo, dated 14.08.2014. The petitioner filed his explanation. Alleging that so far, there is no progress in the enquiry and petitioner is suffering and humiliated in view of pending disciplinary proceedings, this Writ Petition is filed.

When the Writ Petition is taken up, learned Standing Counsel for Visakhapatnam Port Trust states that an enquiry officer is appointed and today the enquiry officer commenced his enquiry proceedings. Learned Standing Counsel further states that enquiry will be completed and appropriate further steps would be taken within a period of two months.

However, learned counsel for the petitioner contends that the documents requested by the petitioner are yet to be supplied and it would be difficult for him to participate in the enquiry without supplying the documents requested by the petitioner. In response, learned Standing Counsel states that by letter, dated 05.11.2015 Traffic Manager informed the petitioner that whatever the documents relied upon by the Management would be supplied to him during the course of enquiry.

Having regard to the above submissions, the petitioner shall approach the enquiry officer for supply of all the relevant documents within one week from the date of receipt of copy of the order. On consideration of the said request, the enquiry officer shall supply all the documents which are relied upon by the disciplinary authority in support of the charges levelled against the petitioner and any other documents requested by the petitioner which are relevant for the enquiry, within a period of one

week from the date of submission of his request. If enquiry officer is of the opinion that some of the documents requested are not relevant or not available, he shall inform the petitioner in writing. The second respondent shall complete the enquiry and pass final orders as expeditiously as possible preferably within a period of two months after the copies of documents are supplied. It is made clear that the petitioner shall cooperate and shall attend to the enquiry whenever the date of enquiry is fixed. It is open to the second respondent to complete the enquiry and pass final orders, if the petitioner does not cooperate.

The Writ Petition is accordingly disposed of.

Consequently, pending miscellaneous petitions, if any shall also stand closed. No order as to costs.

_____

P. NAVEEN RAO, J

12th NOVEMBER, 2015.

Note: issue c.c. in one week.

kvni