

THE HON'BLE SRI JUSTICE K.C. BHANU
AND
THE HON'BLE MRS JUSTICE ANIS

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WRIT PETITION No.16067 OF 2015

ORDER: (per Hon'ble Sri Justice K.C.Bhanu)

This Writ Petition, under Article 226 of the Constitution of India, is filed to call for the records relating to the order, dated 30.04.2015, in Original Application No.2080 of 2015 passed by the Andhra Pradesh Administrative Tribunal, Hyderabad (for short, 'the Tribunal') and quash the same.

2. The unofficial respondent herein/applicant filed the aforesaid Original Application questioning the impugned proceedings Rc.No.K1/1364/2015, dated 16.04.2015, issued by respondent No.2- Commissioner of Tribal Welfare, Telangana, Hyderabad, whereby the unofficial respondent was placed under suspension for dereliction of his duties and disobedience.

3. The Tribunal, upon considering the material on record, allowed the Original Application by setting aside the impugned proceedings, dated 16.4.2015. Challenging the same, the Government filed the present Writ Petition.

4. The unofficial respondent was placed under suspension by proceedings, dated 16.04.2015, issued by respondent No.2.

Admittedly, the Tribunal passed the impugned order without giving any opportunity to the Government to file counter and thereby violated the principles of natural justice. Since, the impugned order was passed without giving any opportunity to the Government to file counter in the Original Application, we set aside the same.

5. Accordingly, the Writ Petition is allowed setting aside the order, dated 30.04.2015, in Original Application No.2080 of 2015

passed by the Tribunal and the matter is remanded to the Tribunal for fresh disposal. We request the Tribunal to dispose of the Original Application within a period of two (2) weeks from the date of receipt of a copy of this order by treating the Writ Petition as a counter. Either of the parties shall file a copy of the Writ Petition before the Tribunal for disposal of Original Application. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE K.C. BHANU

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JUSTICE ANIS

JUNE 18, 2015

Note:

Issue C.C. in two (2) days.

(B/o)
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WRIT PETITION No.16067 OF 2015

DATE: 18.06.2015

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