

THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

WRIT PETITION No.2040 of 2015

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ORDER:

Heard.

2. The petitioner, who is stated to be the Sarpanch of Gottivalasa Gram Panchayat, Garugubilli Mandal, Vizianagaram District, seeks to question the order passed by the third respondent, dated 05.01.2015, whereunder he has reinstated the 5th respondent after imposing a fine of Rs.5,000/- and with a warning that in future if any mistake is committed necessary action will be taken. The petitioner states that on her complaint of misappropriation against the 5th respondent, the 5th respondent was placed under suspension and an enquiry was conducted. However, as against the alleged misappropriation of huge amount, the third respondent has now reinstated the 5th respondent by imposing a meager fine of Rs.5,000/-. That order is, therefore, questioned in this writ petition.

3. It is, thus, evident that the petitioner is a third party and he is not concerned with the appointment, removal or disciplinary action taken against the Field Assistant by the Project Director, who is the appointing authority. It is well settled that third parties have no locus in disputes relating to service matters and such matters are only confined between the employer and the employee. The present writ petition is in the nature of cause exposed, which is analogous to a public interest, and since such action by third parties are not permissible under service

jurisprudence, I find that the writ petition is not maintainable.

4. Hence, the Writ Petition is dismissed at the admission stage. There shall be no order as to costs. The miscellaneous petitions, if any, pending in this writ petition shall stand closed.

JUSTICE VILAS V.AFZULPURKAR

9th February, 2015

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