

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE

AND

THE HON'BLE SRI JUSTICE S.V. BHATT

Public Interest Litigation No.41 of 2015

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DATED:15.06.2015

Between:

P. Lakshmi Reddy,

YSR Kadapa District.

... Petitioner

And

The State of Andhra Pradesh,

Represented by its Chief Secretary,

Hyderabad and others.

....Respondents

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE

AND

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Public Interest Litigation No.41 of 2015

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PC: (Per the Hon'ble the Acting Chief Justice Dilip B. Bhosale)

Heard learned counsel for the petitioner.

The petitioner in the instant public interest litigation, seeks to challenge the action of respondent Nos. 1 to 4 in according permission to the 5th respondent to attend conference after his suspension on the ground of misconduct. He further seeks direction to the respondents to recover the loss allegedly caused to the public exchequer by the 5th respondent.

In so far as the first part of the prayer is concerned, the respondents have filed counter affidavit detailing the circumstances under which the 5th respondent was placed under suspension. The counter affidavit clearly states the circumstances in which permission was accorded to the 5th respondent to attend the conference. The order of suspension is dated 27.12.2014 and the permission to attend the conference was also accorded on the very same day. The permission was however withdrawn after the order of suspension was received on 7.1.2015.

The statements made in the counter affidavit are not in dispute. In view thereof, the first part of the prayer deserves to be rejected. In so far as the second part of the prayer, whereby, the petitioner seeks recovery of the loss caused to the public exchequer is concerned, that also deserves to be rejected since the 5th respondent is still not held guilty of the mis-conduct and in the circumstances, we find no merit in the Public Interest Litigation. Hence, it is dismissed as such.

Consequently, pending miscellaneous petitions also stand closed.

DILIP B. BHOSALE, ACJ

S.V. BHATT, J

15th June, 2015

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