

THE HONOURABLE MR JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.4383 of 2015

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ORDER

Heard learned counsel for the petitioners, learned Government Pleader for Panchayat Raj for respondents 1 and 3 and Sri M.S.R.Chandra Murthy, learned counsel for respondents 2 and 4.

2. The five petitioners herein, who were working as Field Assistants under the second respondent, were served with separate orders of suspension pending enquiry. The said orders are questioned by the petitioners in common writ petition. It is to be noted that in a matter of this nature, each petitioner ought to have filed a separate writ petition as the order of suspension passed against the individual officer is a separate cause of action and cannot be equated into a common writ petition. Since the Registry has already permitted the writ petition to be filed, on that technicality, I do not want to non-suit the petitioners.

3. The allegation against the petitioners as disclosed in the impugned proceedings evidently shows that the Disciplinary Policy of FTEs of SRDS contemplates the Project Director to conduct an enquiry against each of the petitioners and in view of the allegations, the petitioners are kept under suspension.

4. Learned counsel for the petitioners states that the petitioners have already filed their explanations and each petitioner contends that the allegations made against him are totally

incorrect and that there is no warrant for suspending them from their post as Field Assistants.

5. Since the orders impugned are one of suspension pending enquiry, this Court would not ordinarily interfere with the same as there is no challenge to the authority on the Officer, who passed the order of suspension, nor any malafides are alleged against the said order. Hence, no interference with the orders impugned is called for. However, if the petitioners submitted their explanations, the Project Director would consider the said explanations and take appropriate decision in the matter as to whether they are to be continued under suspension or to revoke suspension. If the Project Director decides to continue their suspension, the disciplinary enquiry contemplated against the petitioners shall be expeditiously completed and appropriate orders thereon should be passed.

6. With the above directions, the Writ Petition is disposed of, There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

VILAS V. AFZULPURKAR, J

25th February, 2015

sj