

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

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WRIT PETITION No.35888 of 2015

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DATED : 04.11.2015

Between :

P.Appanamma W/o.Ravi,

Aged 28 yrs, Occu : Service,

R/o.Ippili Village, Srikakulam Mandal,

Srikakulam District.

.. Petitioner

and

State of Andhra Pradesh,

rep., by its Principal Secretary to Government,

Panchayat Raj & Rural Department,

J-Block, 8th Floor,

Andhra Pradesh Secretariat

Saifabad, Hyderabad & 4 others.

.. Respondents

This court made the following :

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ORDER :

The petitioner was appointed as Field Assistant of Ippili Gram Panchayat, Srikakulam Mandal, Srikakulam District under Mahatma Gandhi National Rural Employment Guarantee Scheme. The petitioner is aggrieved by the order passed by the 4th respondent dated 29.05.2015 whereby the petitioner was placed under suspension and also called upon to submit her explanation on the allegations leveled against her in the said notice. Soon after receipt of the memo, petitioner submitted her explanation. But so far no orders are passed. Aggrieved by the order of suspension and continuation of suspension, this writ petition is filed.

2. Learned Standing counsel representing respondents 3 to 5 fairly submits that according to the circular governing conditions of services of field assistants, whenever there is an allegation of misconduct, the proceedings should be initiated and completed within one month.

3. Having regard to the said submission and as seen from the material papers filed along with the writ petition, though proceedings were initiated on 29.05.2015, even after lapse of five months, so far no orders are passed and petitioner continued to be under suspension and there is no justification in keeping the disciplinary proceedings pending even though specific time limit is prescribed in the circulars and keeping the person under suspension for such a long time.

4. Having regard to the same, the writ petition is disposed of directing the Project Director-cum-District Programme Coordinator of MGNREGS, Srikakulam District (4th respondent) to pass orders on the explanation submitted by the petitioner, if the same is received, within a period of four weeks from the date of receipt of copy of this order. If no orders are passed within four weeks as directed, the petitioner's suspension shall stand revoked. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

P.NAVEEN RAO,J

04th November, 2015

Rds