

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.1990 OF 2016

DATED : 25.01.2016

Between :

V. Veera Kondal Rao, S/o.Nageswara Rao,
Aged about 27 yrs, Occu : Field Assistant (Under termination),
R/o.Vemavaram village, Post : Gudlavalleveru Mandal,
Krishna District.

.. Petitioner

And

The State of Andhra Pradesh,
Rep., by its Principal Secretary,
Panchayat Raj Department,
A.P. Secretariat Buildings,
Hyderabad & 2 others.

.. Respondents

This court made the following :

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ORDER :

Petitioner claims to be Field Assistant. Whereas the respondents treat him as Senior Mate. Petitioner is aggrieved by the order dated 05.12.2015 of Project Director, District Water Management Agency, Vijayawada, Krishna District (3rd respondent) removing him from service. As per the Human Resource Policy governing Field Assistants and Senior Mate. Against the decision of Project Director, appeal shall lie to the District Collector. But without exhausting the remedy of appeal, this writ petition is filed.

2. Learned counsel for the petitioner contends that the petitioner was not afforded personal hearing before passing the order of removal and charges leveled in the proceedings dated 06.07.2015 are different from the findings recorded to remove the petitioner from service.

3. However, during the course of hearing learned counsel for the petitioner fairly submits that the petitioner may be given opportunity to file appeal before the Appellate authority with liberty to raise all contentions as urged in this writ petition.

4. Having regard to the said submissions, without expressing any opinion on merits, the writ petition is disposed of granting liberty to the petitioner to avail remedy of appeal to the District Collector (2nd respondent) against the order of Project Director (3rd respondent). As and when such appeal is filed, the

2nd respondent shall consider the same and pass orders within a period of eight (8) weeks from the date of receipt of appeal. Petitioner is also entitled to raise all the contentions as urged in this writ petition and the appellate Authority shall consider all those objections objectively and pass a reasoned order. There shall be no order as to costs.

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

25th January, 2016
Rds

P.NAVEEN RAO,J