

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 33852 of 2016

ORDER:

The petitioner was appointed as Field Assistant under National Rural Employment Guarantee Scheme on 03.03.2010. However, he was placed under suspension by proceedings, dated 18.11.2015, and after conducting enquiry, an order of reinstatement was passed on 12.05.2016. When another order of suspension is passed on 04.06.2016, the present writ petition is filed.

The order of suspension, dated 04.06.2016 contains the following irregularities:

- (1) That FA is not providing works to the wages seekers as per EGS norms.
- (2) That the FA is not maintaining sufficient shelf of works.
- (3) That the FA is not distributing the wage as per the works executed.
- (4) That the FA is recording the names of wage seekers who are expired and also the names of the persons who are not residing in the villages.
- (5) That the FA has not identified the beneficiaries under Horticulture and Bund Plantation as per the orders of the District Collector.
- (6) That the FA is providing works only to certain groups and showing bias towards wage seekers.
- (7) That a case was registered on 31.07.2014 under Sections 323, 324, and 34 IPA in Ulindakonda PS and Sri D.Rasool, FA is also one of the accused. (FIR No.108/2014, PS Ulinkonda).

A perusal of the irregularities at serial Nos.1 to 6 shows that they are vague and do not contain any details. So far as the 7th irregularity is concerned, learned counsel for the petitioner submits that the petitioner was already acquitted in the said criminal case.

In view of the above, this Court is *prima facie* satisfied that the petitioner should not have been placed under suspension for the above irregularities. However, since the second respondent wanted to conduct an enquiry, it is open to him to conduct the same in respect of the allegations against the petitioner.

The writ petition is accordingly allowed setting aside the order of suspension, dated 04.06.2016.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

Dt:30.09.2016

kdl

A.RAMALINGESWARA RAO,J