

THE HON'BLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION No.5436 OF 2016

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ORDER:

This Writ Petition, filed under Article 226 of the Constitution of India, challenges the order passed by the Projector Director – 4th respondent herein, vide proceedings No.1/EGS/1203/2013, dated 31.12.2015.

2. Heard Sri A.Jagan, learned counsel, appearing for the petitioner and Sri M.S.Ramachandra Murthy, learned standing counsel for the 4th respondent.

3. By virtue of the impugned order, the Project Director – 4th respondent herein, kept the petitioner under suspension, while asking him to submit explanation. According to the petitioner, he submitted an explanation on 06.01.2016 by enclosing the letter issued by the Sarpanch of Village Gram Panchayat, dated 06.01.2016.

4. It is contended by learned counsel for the petitioner herein that the letter of the Sarpanch of the Village Gram Panchayat enclosed along with the explanation on the even date clearly dispels the allegation, which formed the basis for suspending the petitioner herein and as such, the impugned action cannot be sustained in the eye of law.

5. On the contrary, it is submitted by learned standing counsel for the 4th respondent that since the enquiry is pending before the 4th respondent, it may not be desirable to curtail the same, as the petitioner herein has already submitted an explanation on 06.01.2016.

6. Having regard to the nature of controversy and in the facts and

circumstances of the case, this Court is of the considered opinion that the ends of justice would be met, if the 4th respondent is directed to complete the enquiry against the petitioner and pass appropriate orders by fixing some timeframe.

7. For the aforesaid reasons and having regard to the nature of controversy, Writ Petition is disposed of, directing the 4th respondent herein to complete the enquiry and pass appropriate orders, pursuant to the proceedings No.1/EGS/1203/2013, dated 31.12.2015, within a period of one month from the date of receipt of a copy of this order. In the event of failure to pass any orders within the time stipulated above, the petitioner herein shall be reinstated into service.

8. Miscellaneous petitions pending consideration, if any, in the Writ Petition shall stand closed in consequence. No order as to costs.

A.V.SESHA SAI, J

19.02.2016
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