

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Contempt Case No. 1392 of 2014

Order:

This Contempt Case is filed alleging non-implementation of the order of this Court passed in WPMP No.16819 of 2014 in WP No.13453 of 2014, dated 28.04.2014.

2. This Court, by an order dated 28.04.2014, directed the respondents to review the order of suspension dated 19.11.2012 and pass appropriate orders thereon as to whether it is required, pending disciplinary proceedings, to keep the petitioner still under suspension.

3. Now a counter affidavit is filed by the first respondent stating that an Enquiry Officer was appointed and charges were framed against the petitioner on 07.03.2015. An enquiry report was submitted on 20.04.2016 stating that the petitioner, even after receiving the notices, has not chosen to attend the enquiry and not submitted the explanation, but the enquiry was concluded as per the material available on record holding that all the charges are proved. The enquiry report was forwarded to the third respondent to conclude the disciplinary proceedings. It was also stated that the first respondent issued orders on 25.06.2016 directing the third respondent to pay subsistence allowance to the petitioner for the entire period of suspension to his bank account.

4. However, learned counsel for the petitioner submits that the enquiry was concluded *ex parte* without furnishing the required documents disabling the petitioner from filing proper explanation. He also submits that the full subsistence allowance was not paid. However, these are the matters to be considered in the main Writ Petition. In view of progress in the disciplinary proceedings, this Court is not inclined to continue the contempt proceedings.

5. The Contempt Case is, accordingly, closed. There shall be no order as to costs.

6. As a sequel thereto, the miscellaneous applications, if any, pending in this Contempt Case shall stand closed.

A.
Date: 22.07.2016
Nsr

RAMALINGESWARA RAO, J

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

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