

**THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE M. SEETHARAMA MURTI**

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WRIT PETITION No.28493 of 2016
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ORDER: (Per Hon'ble Sri Justice Sanjay Kumar)

This writ petition is filed by the unsuccessful applicant in O.A.No.021/00684/2016 on the file of the Central Administrative Tribunal, Hyderabad Bench. The said O.A. was dismissed by the Tribunal by order dated 15.07.2016.

It appears that notice dated 14.06.2016 was issued to the petitioner/applicant giving him a last opportunity to appear for the enquiry which was scheduled to be held on 12.07.2016. The Tribunal took note of the fact that the date stipulated for the enquiry had already elapsed and accordingly dismissed the O.A. opining that the enquiry could not be interdicted at that stage.

Sri Kowturu Pavan Kumar, learned counsel for the petitioner/applicant, would inform us that subsequent thereto, Final Notice (2) dated 28.07.2016 was issued by the third respondent calling upon the petitioner/applicant to appear for the enquiry scheduled to be held on 29th and 30th of August, 2016. The petitioner/applicant was further put on notice that if he failed to appear for the enquiry, he would be set ex parte and further course of action would be initiated as per rules.

Though Sri Kowturu Pavan Kumar, learned counsel, would submit that an observation should be made by this Court that the respondent authorities should abide by the principles of natural justice failing which the petitioner/applicant would be adversely affected, this Court finds that the action of the authorities in time and again issuing notices to the petitioner/applicant calling upon him to participate in the enquiry reflects their intention to abide by the principles of natural justice and no further observation is warranted in that regard. It is for

the petitioner/applicant to participate in the enquiry and put forth his case in accordance with norms.

The writ petition is accordingly dismissed. Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

SANJAY KUMAR, J

M. SEETHARAMA MURTI, J

24th August, 2016

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