

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

AND

THE HON'BLE SRI JUSTICE G.SHYAM PRASAD

W.P.No. 4182 OF 2005

DATED 30TH JUNE, 2016

Between:

The Commissioner of Commercial Taxes,
Government of Andhra Pradesh, Nampally,
Hyderabad, and others

... Petitioners

AND

B.Balavardhi Raju

... Respondent

Counsel for the petitioners

: G.P. for Services (A.P.)

Counsel for the respondent

: Sri C.Srinivasa Baba

THE COURT MADE THE FOLLOWING

ORDER: *(per Hon'ble Sri Justice C.V.Nagarjuna Reddy)*

This Writ Petition is filed for issue of *certiorari* to quash order dated 28-03-2003 in O.A.No. 1891 of 2003 on the file of the Andhra Pradesh Administrative Tribunal at Hyderabad (for short, 'the Tribunal').

2. The issue involved before the Tribunal was whether framing of charges by the inquiry officer was legal or not. The Tribunal answered the issue in favour of the respondent by holding that under the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991, it is the disciplinary authority who alone is competent to frame charges.

3. Feeling aggrieved by the order of the Tribunal, the Commissioner of Commercial Taxes, Government of Andhra Pradesh, and others filed the present Writ Petition.

4. At the hearing, it is agreed among the learned Government Pleader appearing for the petitioners and the learned counsel for the respondent that the issue as above mentioned is no longer *res integra* as the same was decided by a Full Bench of this Court holding that the disciplinary authority alone is competent to frame charges.

5. In view of the same, the Writ Petition fails and is, accordingly, dismissed.

6. As a sequel to dismissal of the Writ Petition, W.P.M.P.No. 5597 of 2005 shall stand dismissed as infructuous.

C.V.NAGARJUNA REDDY, J.

Date: 30-06-2016.

JSK
J.

G.SHYAM PRASAD,