

The Hon'ble Sri Justice C.V.Nagarjuna Reddy
and

The Hon'ble Sri Justice M.S.K.Jaiswal

Writ Petition No.9229 of 2016

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Date: 31.03.2016

Between:

The State of Telangana
rep. by its Prl.Secretary
Hyderabad and another

.. Petitioners

and

B.Manohar
Hyderabad and another

.. Respondents

Counsel for the petitioners :

GP for Services

Counsel for the respondents: Sri K.Ramalingeswara Rao

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The Court made the following:

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Order : (Per Hon'ble Sri Justice C.V.Nagarjuna Reddy)

This Writ Petition is filed for a Certiorari to quash Order, dated 08-11-2013, in OA.No.7851 of 2013 on the file of the Andhra Pradesh Administrative Tribunal.

A perusal of the record shows that in the above mentioned OA filed by respondent No.1 questioning initiation of disciplinary proceedings against him, the Tribunal has stipulated three months' time for the petitioners to complete the enquiry and pass appropriate order with the rider that in the event of failure to complete the enquiry within the said period, the disciplinary proceedings shall be deemed to have to been dropped. Subsequently, on an application filed by the petitioners for extension of time, the Tribunal has extended the time by three months by order, dated 07-03-2014, on condition that no further time will be granted.

We strongly feel that in disciplinary proceedings, while stipulating time limit for completion of the proceedings adding the rider that failure to complete the disciplinary proceedings in

time shall result in dropping all the disciplinary proceedings, is more often against public interest, more so, in cases where serious allegations of omissions and commissions are made against the public servants. However, on the facts of this case, we feel that it is appropriate for the petitioners to approach the Tribunal for further extension of the time limit stipulated by it with liberty to them to move this Court only in the event the Tribunal declines to extend the time.

Accordingly, the Writ Petition is disposed of permitting the petitioners to seek extension of time before the Tribunal and approach this Court in the event the Tribunal does not extend the time.

As a sequel to disposal of the Writ Petition, WPMP.No.11702 of 2016, filed by the petitioners for interim relief, is disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

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(M.S.K.Jaiswal, J)

Dt: 31st March, 2016
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