

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF
ANDHRA PRADESH**

**WEDNESDAY, THE TWENTY SEVENTH DAY OF
JANUARY TWO THOUSAND AND SIXTEEN**

Present

HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.2114 of 2016

Between:

D.R.K. Reddy,
S/o. Laxmana Reddy,
A/o. 49 years, Occ: Driver: E.600172,
R/o.37/1/33-1,
Kondapalli vari Street,
Rajahmundry,
E.G. District.

.. Petitioner

AND

The Depot Manager,
A.P.S.R.T.C.,
Rajahmundry Depot,
East Godavari District & 2 others

.. Respondents

The Court made the following:

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HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.2114 of 2016

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ORDER:

The petitioner is a driver. On 24.11.2015, charges were framed against the petitioner and he was asked to submit his explanation. On the same day, he was also placed under suspension. This writ petition is filed challenging the order of suspension.

2. Learned counsel for the petitioner submits that an Enquiry Officer is appointed and date of enquiry is fixed on 29.01.2016. Learned counsel for the petitioner apprehends that the reading of the charge memo would disclose that the disciplinary authority has pre-determined the punishing of the petitioner on the charges levelled against him.

3. The grounds urged in the writ petition touch upon the merits of the allegations made in the charge sheet which is the subject of enquiry. It cannot be presumed at this stage that the disciplinary authority is pre-determined and that no enquiry is conducted in proper manner.

4. It is agreed by both the learned counsel that since the Enquiry Officer is already appointed and the date of enquiry is fixed, the writ petition may be disposed of directing the disciplinary authority to conclude the disciplinary action, as

expeditiously as possible, without expressing any opinion.

5. Since the date of enquiry is fixed, it is open for the petitioner to appear before the enquiry authority and make all submissions, as warranted, in support of his contention and it is hoped and expected that the Enquiry Officer shall follow the procedure as envisaged.

6. Having regard to the fact that the Enquiry Officer is already appointed and a date for enquiry is fixed, the Writ Petition is disposed of, without expressing any opinion on merits, directing the disciplinary authority to conclude the disciplinary proceedings, as expeditiously as possible, preferably within a period of six (6) weeks from the date of receipt of a copy of this order. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

P.NAVEEN RAO, J

Date: 27th January, 2016

Note: Issue C.C. in two (2) days.

(B/o.)
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HON'BLE SRI JUSTICE P.NAVEEN RAO

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