

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.35325 of 2016

ORDER:

The petitioner challenges the proceedings dated 05.10.2016 as illegal and contrary to the view taken by this Court in WA.No.746 of 2016 dated 23.08.2016.

2. The stand of the petitioner is that, through proceeding impugned in the writ petition, the second respondent has suspended the authorization without stipulating the period, substantive punishment and the same is unsustainable. The petitioner relies upon the Division Bench order in WA.No.746 of 2016 dated 23.08.2016. The operative portion reads thus:

“While we are satisfied that the 3rd respondent ought to have fixed the period of suspension, it would be wholly inappropriate for us, in proceedings under Article 226 of the Constitution of India, to do so. In such circumstances, we consider it appropriate to set aside the order of the 3rd respondent, and direct him to fix the period during which the order of suspension shall remain in force. The 3rd respondent shall pass an order, in accordance with the directions aforementioned, within two weeks from the date of receipt of a copy of this order.”

3. I have perused the proceeding impugned in the writ petition, taken note of the submissions of Mr. V. Sudhakar Reddy and also the Assistant Government Pleader. The complaint of the petitioner insofar as not fixing suspension period is covered by the decision of this Court in WA.No.746 of 2016 dated 23.08.2016.

4. By following the said order, the second respondent is directed to pass an order in accordance with the directions in WA.No.746 of 2016 dated 23.08.2016 within two (2) weeks from the date of receipt of a copy of this order.

The writ petition is ordered as indicated above. As a sequel, the miscellaneous applications pending, if any, shall stand closed. There shall be no order as to costs.

S. V. BHATT, J

October 20, 2016
DSK

