

THE HONOURABLE SRI JUSTICE CHALLA KODANDA RAM
WRIT PETITION No.15584 OF 2016

ORDER:

The grievance of the petitioner is that as against the suspension pending enquiry order dated 08.02.2016, he preferred an appeal before the Joint Collector-2nd respondent and in turn the Joint Collector vide order dated 29.03.2016 while refusing to interfere with the suspension order, had directed the Revenue Divisional Officer-3rd respondent to complete enquiry within six weeks from the date of receipt of order copy. The complaint of the petitioner is that though more than 4 weeks have been lapsed, so far no notice as such has been given by the 3rd respondent calling the petitioner for enquiry. It is also the contention of the learned counsel for the petitioner that the petitioner has been approaching the 3rd respondent to complete the enquiry in terms of the orders of the Joint Collector, yet nothing has been done.

Considered the submissions made by the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies.

The Joint Collector made an order on 29.03.2016 directing the Revenue Divisional Officer to complete the enquiry within six weeks. As can be seen from the said order, the same was signed on 30.03.2016. Assuming that the same would have reached the Revenue Divisional Officer within three days therefrom, it would come to 3rd or 4th April, 2016. Thus, there is another three more weeks time available to the Revenue Divisional Officer to comply with the order of the Joint Collector. In that view of the matter, one cannot find fault with the Revenue Divisional Officer for non-disposal of the matter. However, the fact remains that the notice has to be given to the petitioner and enquiry needs to be completed, in which event, two weeks time would be sufficient or otherwise the orders that

may be passed by the Revenue Divisional Officer may invite criticism on account of not providing adequate opportunity of hearing. In those circumstances, interest of justice would be served if a direction is given to the

3rd respondent to issue notice to the petitioner for enquiry, complete the enquiry and pass appropriate orders positively by 15.05.2016.

With above observations, the writ petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in the Writ Petition shall stand closed.

Justice Challa Kodanda Ram

29th April, 2016.
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