

ORDER:

Suspension pending enquiry order dated 21.12.2015 is challenged before this Court.

Heard the learned counsel for the petitioner and the learned Government Pleader for the Civil Supplies (A.P.)

As evidenced from the statement of the villagers, the petitioner’s family members had collected Rs.3/- and Rs.5/- from each of the card holders for supplying of the free distribution scheduled commodities. The petitioner had submitted his explanation denying the said allegations categorically. The explanation was submitted as far back as on 02.01.2016 and though more than six months have passed, no enquiry has been conducted and no final orders are passed. Even the departmental circulars itself mandate the authorized officer to pass the orders within a period of 90 days and the suspension pending enquiry cannot be kept pending indefinitely unless there are compelling reasons. These aspects of the matter has been noted by this Court in a large number of cases. Considering the fact that the suspension pending enquiry was made in the month of December, 2015 that too on the allegations of collecting of Rs.3/- and Rs.5/- and considering the fact that even after lapse of six months, no enquiry has been conducted, the writ petition can be disposed of directing the 3rd respondent to complete the enquiry within a period of four months from the date of receipt of copy of the order.

Accordingly, the writ petition is disposed of directing the 3rd respondent to complete the enquiry and pass appropriate orders within a period of four weeks from the date of receipt of copy of the order after considering the explanation submitted by the petitioner. Till such time, the enquiry is completed and the final orders are passed, the impugned order stands suspended and the petitioner shall be entitled to distribute the essential commodities. No order as to costs.

JUSTICE CHALLA KODANDA RAM

DATED:16.06.2016
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WRIT PETITION No. 7009 of 2016

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Date:03.03.2016