

THE HON'BLE SRI JUSTICE A. V. SESA SAI

WRIT PETITION No.9385 OF 2016

ORDER:

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This Writ Petition is filed under Article 226 of the Constitution of India, challenging the order passed by the

3rd respondent vide proceedings No.BDL/6074/47226/2015 dated 07.12.2015 keeping the petitioner under suspension pending enquiry.

Heard Sri Venkateswerllu Kesamsetty, learned counsel for the petitioner, and Smt. B. Uma Devi, learned Standing Counsel for the respondents.

The petitioner herein is an Office Superintendent in the respondent organization. The 3rd respondent, pending enquiry into the alleged misconduct, placed the petitioner under suspension. The said order of suspension is under challenge in the present writ petition.

According to the learned counsel for the petitioner, the order of suspension is highly unwarranted and in the facts and circumstances of the case, the said order is highly arbitrary, illegal and violative of Article 14 of the Constitution of India.

Supporting the impugned action, it is the submission of the learned Standing Counsel for the respondents that there is no illegality, nor there exists any infirmity in the impugned action. It is further submitted that already enquiry is initiated by appointing an Enquiry Officer held two sittings and the enquiry would be concluded shortly.

Since the impugned order in the present writ petition is only an order of suspension pending enquiry and in the absence of any jurisdictional error, this Court is not inclined to meddle with the order at this stage. But however, this Court is of the opinion that the ends of justice would be met, if the respondents are directed to finalize the

enquiry within a time frame in accordance with law.

Hence, the writ petition is disposed of, directing the respondents herein to finalize the enquiry and pass appropriate orders within a period of two months from the date of receipt of a copy of this order.

There shall be no order as to costs.

The Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

A. V. SESA SAI, J

Date:23.03.2016

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