

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

HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION NO. 4043 OF 2016

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Between:

Smt K. Nazima Begum W/o A.S. Ummer Javid Ali

....Petitioner

A n d

Life Insurance Corporation of India and three others

....Respondents

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DATE OF DISPOSAL: 11.02.2016

HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION NO. 4043 OF 2016

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ORDER:

Petitioner is an employee of Life Insurance Corporation of India. On 31.8.2015 the petitioner was issued with charge memo for his misconduct in discharging his official duties and a domestic enquiry was ordered. The enquiry officer appointed by the disciplinary authority conducted the enquiry. The grievance of the petitioner is that the petitioner wants to examine 16 witnesses in support of his defence. But the enquiry officer has not accepted his request. On 18.1.2016, the petitioner submitted written request to the enquiry officer to adjourn the matter and issue summons to the witnesses mentioned in the representation. Alleging that the request of the petitioner is not accepted by the enquiry officer, this Writ Petition is filed.

As briefly noticed above, disciplinary proceedings are set-in-motion and are now at the stage of conducting enquiry by the enquiry officer. A detailed procedure is envisaged in conducting the disciplinary proceedings. If the petitioner is aggrieved regarding the manner in which the enquiry proceedings are conducted by the enquiry officer, he should complain to the disciplinary authority. It is for the disciplinary authority to consider the grievance of the petitioner with reference to the manner in which the enquiry proceedings are conducted. The Court cannot go into the actions of the enquiry officer in accepting/not accepting the request of the petitioner with reference to examination of witnesses and conduct of enquiry. The scope of judicial review against the orders in disciplinary proceedings arises only when final decision is taken. At the interlocutory stage, the Court can go into the validity of initiation of the disciplinary proceedings or continuation when the same is without jurisdiction or competence of the authority, which has initiated proceedings against the petitioner,

and the Court cannot go into the merits or actions of the enquiry authority. This Court is not inclined to entertain the Writ petition at this stage.

Accordingly, the Writ Petition is dismissed. However, liberty is granted to the petitioner to raise his grievance before the disciplinary authority and it is for the disciplinary authority to consider such a plea and take appropriate decision. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, pending if any, shall stand closed.

P. NAVEEN RAO, J

Date: 11.2.2016
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Note: Furnish copy by tomorrow