

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

**CONTEMPT CASE NO.1091 OF 2014 AND WRIT PETITION NOS.11597
AND 4267 OF 2014.**

COMMON ORDER:

Since these matters are inter-connected and the petitioner in all these matters is one and the same, they are being disposed of by way of this common order.

2. W.P.No.11597 of 2014 is filed challenging the charge sheet, dated 04-04-2014 and the consequential suspension order.

3. This Court, vide order, dated 28-04-2014 directed the 3rd respondent to reinstate the petitioner into service, but however, allowed the enquiry to go on after reinstating the petitioner into service.

4. It is submitted that to the extent of reinstatement, the said order was not implemented immediately. But, after filing the C.C.No.1091 of 2014, it was implemented. It is also submitted by both counsel that the petitioner retired from service.

5. Learned standing counsel for the respondents submits that the enquiry was completed and in view of the pendency of writ petition, no final orders are passed.

6. W.P.No.4267 of 2014 is filed challenging another charge sheet, dated 07-02-2014 and this Court, vide order, dated 14-02-2014 granted interim stay, as a result of which, no enquiry took place.

7. In view of completion of enquiry pursuant to the charge sheet, dated 04-04-2014 before retirement of the petitioner from service, it is open to the respondents to take appropriate action in accordance with law. However, in respect of the charge sheet, dated 07-02-2014, in view of stay granted halting enquiry and allowing the petitioner to retire, no enquiry can take place in respect of the said charge sheet. In view of the same, W.P.No.4267 of 2014 is liable to be dismissed as infructuous. In W.P.No.11597 of 2014 liberty is given to the respondents to take appropriate action in accordance with law pursuant to the enquiry taken place in respect of the charges mentioned in the charge sheet, dated

04-04-2014. In view of re-instatement of the petitioner into service, though belatedly, the Contempt Case is liable to be dismissed.

8. Accordingly, the Contempt Case is dismissed, W.P.No.11597 of 2014 is disposed of and W.P.No.4267 of 2014 is dismissed as infructuous. No order as to costs. Miscellaneous petitions, if any pending in these matters shall stand closed.

A.RAMALINGESWARA RAO, J

DATED: 17-06-2016

Hsd