

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WP No.13868 of 2016

Oral Order :

This writ petition is filed under Article 226 of the Constitution of India for the following relief :

“ The Hon’ble Court may be pleased to issue an appropriate writ, order or direction, more in the nature of Mandamus, declaring the action of the 1st respondent in continuing the orders of suspension in proceedings No.8923/Vig(1)/(NLG/2014 dated 4.2.2015 even without framing any specific charges against the petitioner even after lapse of more than a year from the date of suspension of the petitioner and not extending the revised pay scales to the petitioner as being illegal, arbitrary and in violation of Article 21 of the Constitution of India and consequently set aside the same with a direction to reinstate the petitioner into service, and pass such other order or orders as may deem fit and proper.”

Heard Sri J.U.M.V.Prasad, learned counsel for the petitioner and Sri C.Buchi Reddy, learned Standing Counsel appearing for the respondents and perused the

material available on record.

The petitioner herein is Mandal in-charge in the respondent-Housing Corporation. By virtue of the proceedings dated 4.2.2015 passed by the 1st respondent-Managing Director, the petitioner was placed under suspension pending enquiry and charge sheet was also served on the petitioner. In response to the said charge sheet, the petitioner submitted his explanation. It is the contention of the learned counsel for the petitioner that the facts and circumstances of the case do not warrant issuance of order of suspension and the same is illegal, arbitrary and in violation of Article 14 of the Constitution of India.

On the contrary, it is submitted by the learned Standing Counsel for the respondents that enquiry officer has conducted enquiry and report is awaited and as no illegality is pointed out in the impugned order of suspension, therefore the same does not warrant any interference of this Court under Article 226 of the Constitution of India at this stage.

Having regard to the nature of charges, this Court is not inclined to meddle with the order of suspension passed by the 1st respondent. However, this Court is of the opinion that ends of justice would be served if the respondents are directed to complete the enquiry and to pass final orders by fixing time limit.

For the aforesaid reasons, the writ petition is disposed of, directing the respondents to pass final orders in the enquiry pursuant to the charge sheet issued by the 1st respondent vide proceedings dated 4.2.2015 within a period of three months from the date of receipt of copy of this order. Miscellaneous petitions pending, if any, shall stand closed. No costs.

JUSTICE A.V.SESHA

SAI

Dt: 26-4-2016

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26-4-2-16