

THE HON'BLE SRI JUSTICE G.CHANDRAIAH
AND
THE HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

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W.P.NO.20771 OF 2014

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COMMON ORDER (Per the Hon'ble Sri Justice G.Chandraiah)

The respondent in the writ petition is the applicant before the Andhra Pradesh Administrative Tribunal in O.S.No.6982/2013. On the ground the while he was working as Constable at Saidabad Police Station, he was involved in criminal cases and made confession during the investigation, disciplinary proceedings were initiated by framing following charges:

“ Charge – I Sri B.Suresh Kumar PC 7931 while working at Saidabad PS respectively involved in Cr.No.437/2001 u/s 383 IPC and Cr.No.442/01 U/s 392 IPC of SR Nagar PS. During investigation he confessed to have committed these offences. Being working in disciplined force involvement in grave criminal cases amounts to gross misconduct and moral turpitude on his part.

Charge – II Being a uniformed force, misused his official position by colluding with others committed the above criminal misconduct.

Sri B.Suresh Kumar, PC 7931 of Saidabad PS by his above mentioned acts, has exhibited lack of integrity, devotion to duty and conduct unbecoming of a member of service and thereby contravened Rule 3(1) and (2) of the APCS (Conduct) Rules 1964.

2. The respondent filed his explanation denying his guilt and eventually he was imposed with the punishment of removal from service. He remained unsuccessful in the departmental appeal. Challenging the said removal, he preferred O.S.No.6982/2013 and the Andhra Pradesh Administrative Tribunal by order dated 21.3.2014, following the common order delivered in O.A.Nos.6990 of 2013 and 6991/2013 dated 18.3.2014, wherein the Tribunal considering the very same issue, allowed the O.As and set aside the order of removal and directed for reinstatement, allowed the present O.A. Aggrieved by the same, the Government filed the writ petition.

3. Challenging the common order of the Tribunal in O.A.Nos.6990 and 6991 of 2013, the Government filed two writ petitions in W.P.Nos.20416 and 22451 of 2014 and today this court dismissed the said writ petitions, confirming the order of the Tribunal. As the present writ petition is also identical in all respects, same is also dismissed in terms of the common order of this court dated 07.1.2016 in W.P.Nos.20416 and 22451 of 2014. No costs.

4. Miscellaneous petitions pending if any, shall stand closed.

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G.CHANDRAIAH,J

A. SHANKAR NARAYANA,
J

DATE: 07 —01—201