

THE HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.15711 OF 2016

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ORDER:

The grievance of the petitioner is that as against the suspension pending enquiry order dated 18.02.2016, he preferred an appeal before the Joint Collector – the 2nd respondent, who in turn, vide order dated 29.03.2016 while refusing to interfere with the suspension order, had directed the Revenue Divisional Officer – the 3rd respondent to complete enquiry within six weeks from the date of receipt of copy of the order.

2. The complaint of the petitioner is that though more than 4 weeks have been lapsed, so far no notice as such has been given by the 3rd respondent calling upon the petitioner for enquiry.

3. It is also the contention of learned counsel for the petitioner that the petitioner has been approaching the 3rd respondent to complete the enquiry in terms of the order of the 2nd respondent.

4. I have considered the submissions made by learned counsel for the petitioner and learned Government Pleader for Civil Supplies.

5. The 2nd respondent passed an order on 29.03.2016 directing the 3rd respondent to complete the enquiry within six weeks. As can be seen from the said order, the same was signed on 30.03.2016. Assuming that the same would have reached the 3rd respondent within three days therefrom, it would

come to 3rd or 4th April, 2016. Thus, there is another three more weeks' time available

to the 3rd respondent to comply with the order of the 2nd respondent.

6. In that view of the matter, one cannot find fault with the 3rd respondent for non-disposal of the matter. However, the fact remains that the notice has to be given to the petitioner and enquiry needs to be completed, in which event, two weeks time would be sufficient or otherwise the orders that may be passed by the 3rd respondent may invite criticism on account of not providing adequate opportunity of hearing. In those circumstances, interests of justice would be served if a direction is given to the 3rd respondent to issue notice to the petitioner for enquiry, complete the enquiry and pass appropriate orders positively by 15.05.2016.

7. With above observations, the Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in the Writ Petition shall stand closed.

JUSTICE CHALLA KODANDA RAM

Date:29.04.2016

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