

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 22604 of 2016

ORDER:

Suspension pending enquiry order dated 16.06.2016 is challenged before this Court.

It is the contention of the petitioner that a show cause notice was issued on 04.06.2016 requiring the petitioner to submit explanation within three days. In response to the said notice, she submitted a detailed explanation on 10.06.2016. But, without adverting to any of the aspects, which the petitioner had made in the explanation, the impugned suspension pending enquiry order has been made, which is unsustainable.

Heard the learned counsel for the petitioner as well as the learned Government Pleader for Civil Supplies.

A close scrutiny of the show cause notice dated 04.06.2016 discloses that when the Civil Supplies Deputy Tahsildar, Tuni, conducted inspection of the Fair Price Sop of the petitioner, certain irregularities were found and therefore, the petitioner was directed to submit explanation within three days from the date of receipt of the notice as to why her authorisation shall not be cancelled. Pursuant to the same, the petitioner had submitted her explanation. Consideration of the explanation submitted by the petitioner would be at the time of conducting enquiry and passing final orders, whereas the impugned order is passed pending enquiry. Further, in the impugned order, the nature of allegations have been set out and therefore, it does not call for any interference. Inasmuch as the petitioner had already submitted her explanation, interest of justice would be served if a direction is given to the third respondent to complete the enquiry within a stipulated time.

Accordingly, the writ petition is disposed of directing the third respondent to complete the enquiry and pass appropriate final orders within a period of six weeks from the date of receipt of a copy of this order duly affording an opportunity of hearing to the petitioner. If enquiry is not completed within six weeks, the impugned order stands suspended till passing of final orders.

Miscellaneous Petitions pending in this writ petition, if any, shall stand closed. There shall be no order as to costs.

CHALLA KODANDA RAM, J.

Date: 14.07.2016

va