

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 19361 OF 2016

ORDER :

Against the order dated 25.01.2016 passed by the 4th respondent Sub-Collector, Vikarabad Division, the petitioner preferred an Appeal on 07.06.2016 before the 3rd respondent Joint Collector, Civil Supplies Wing, Ranga Reddy District, but however, so far, no stay has been granted is the grievance in this Writ Petition.

Heard learned counsel for the petitioner.

Learned Government Pleader for Civil Supplies (Telangana), on instructions, submits that the Appeal preferred by the petitioner is beyond limitation, hence, the same was rejected on 18.06.2016. Therefore, the question of granting stay orders by the respondent authorities does not arise.

As per Clause 20(1)(i) of Control Order, 2008, against the order of suspension/cancellation, an Appeal has been provided within 30 days of receipt of a copy of such order. In the instant case, evidently, the petitioner has preferred the Appeal on 07.06.2016 i.e. after lapse of five months, which is beyond the period stipulated in the Order. Hence, the rejection of Appeal on 18.06.2016 cannot be found fault with. In that view of the matter, no relief need be granted in this Writ Petition and it is accordingly, disposed of. No costs.

However, one aspect of the matter which is required to be taken note of in the present case is that suspension pending enquiry has been made in the month of January 2016. The petitioner has also submitted her explanation. It is un-understandable as to what prevented the 3rd respondent from deciding the inquiry within 90 days, the period mandated by the Circular Instructions issued by the Commissioner. Suspension pending enquiry, except in exceptional circumstances, cannot be continued beyond 90 days. The failure on the part of the authorities concerned in adhering to the guidelines issued either in Control Order or in the Administrative Instructions of the superior officers, ultimately, resulting in multiplicity of litigation

and thereby burdening the Courts. The entire episode only highlights lack of responsibility on the part of the respondent authorities.

It is time that the 1st respondent State of Telangana should think of giving strict administrative instructions to their officers concerned to stick to the time-line within which they are required to pass orders which would go a long way in reducing the administrative work of theirs as well as the work load before the Courts on this kind of issues.

Registry is directed to mark a copy of this order to the 1st respondent.

CHALLA KODANDA RAM, J

20th June 2016

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