

HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.42997 of 2015

DATED : 06.01.2016

Between:

N.Anjaneyulu, S/o.Narsimha,
Aged 40 yrs, Occu : Accountant Gr-II,
Telangana State Civil Supplies Corporation Ltd.,
R/o.5-11-28/1, Shantinagar, Nalgonda.

.. Petitioner

AND

State of Telangana,
Rep., by its Principal Secretary
Civil Supplies Department,
Secretariat, Hyderabad & 3 others.

.. Respondents

The Court made the following:

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ORDER:

The petitioner was placed under suspension by proceedings dated 10.11.2015 on the allegation that there are huge variations in stocks between book balance and ground balance and other irregularities. Petitioner was also served with show cause notice dated 07.11.2015 calling upon him to explain on the allegations levelled in the said show cause notice. Petitioner claims to have submitted his explanation on 08.11.2015.

2. This writ petition is instituted challenging the order of suspension on the ground that the Joint Collector is not competent to place the petitioner under suspension. It is also contended that so far there is no progress in the disciplinary action and he is kept under suspension.

3. With reference to the competency of the Joint Collector to place the petitioner under Suspension, learned Standing Counsel produced the Conduct, Discipline and Appeals Regulations and the circular instructions of the Managing Director, dated 23.07.2002 to contend that the Joint Collector being an Executive Director, is competent to place the petitioner under suspension. Thus, there is no dispute regarding competency of the Joint Collector in placing the petitioner under suspension.

4. This Court cannot go into the merits of the allegations which form basis to place the petitioner under suspension. However, as agreed by the learned counsel for the petitioner and learned Standing counsel, this Writ Petition is disposed of directing the respondent-Corporation to take expeditious steps to conclude the disciplinary proceedings and finalise the same. The respondents are granted eight (8) weeks time to complete the enquiry by fixing time schedule. The petitioner shall also cooperate and shall not seek adjournments. If the enquiry could not be completed and the delay in finalisation of the disciplinary proceedings is not attributable to the petitioner, the respondents shall review the suspension of the petitioner. However, it is open to the Corporation to post the petitioner at any other place pending finalization of the disciplinary proceedings and it is also open to the competent authority to consider the explanation submitted by the petitioner dated 08.11.2015 notwithstanding the disposal of the writ petition. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

P.NAVEEN RAO, J

Date: 06th January, 2016
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