

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.29158 OF 2017

ORDER :

This writ petition is filed challenging the suspension order dated 11.08.2017 issued by the 2nd respondent suspending the petitioner from service, pending disciplinary proceedings.

Learned counsel for the petitioner submits that petitioner was issued charge sheet alleging disobedience, for which, petitioner also submitted reply on 18.8.20017. He submits that though petitioner submitted explanation, no orders are passed as on today in respect of charge sheet issued on the petitioner, but the petitioner is being kept under suspension by impugned proceedings alleging gross misconduct on his part. He further submits that petitioner wants to file another explanation to the charge-sheet, in addition to the reply filed on 18.08.20017.

On the other hand, Sri S.V.Ramana, learned Standing Counsel for the respondent Corporation submits that suspension was basing on the allegations of insubordination and it is not a punishment.

In this case, it is to be seen that the truth or otherwise of the conduct of the petitioner cannot be gone at this stage, as disciplinary enquiry has already been initiated against the petitioner, which is pending. Though learned counsel for

the petitioner tried to canvass that there is no insubordination stating that since petitioner has to perform 08.00 hrs duty, he may some times sit in the chair while performing his duty. All these aspects can be gone into enquiry which is pending before the competent authority but not at this stage before this Court.

In view of the aforesaid facts and circumstances, since petitioner sought permission to submit another reply in addition to the reply dated 18.08.2017, it is open for the petitioner to file such an explanation within a period of two weeks from today. On such explanation, the respondent authorities shall complete the enquiry within a period of two months thereafter and take action accordingly.

With the above direction, this writ petition is disposed of. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending in this writ petition shall stand closed.

31.08.2017
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A.RAJASHEKER REDDY, J

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

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Date: 31.08.2017

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