

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.28445 OF 2017

ORDER:

This writ petition is filed challenging the proceedings dated 21-07-2017 issued by the 3rd respondent appointing the 4th respondent as Enquiry Officer to conduct enquiry against the petitioner.

Learned counsel for the petitioner says that the basis for initiating the disciplinary proceedings and the criminal case is one and the same and the disciplinary proceedings are allowed to continue, the petitioner has to disclose his defence in criminal case that will prejudice his case in criminal trial.

On the other hand, learned Standing Counsel for the respondents submits that only Enquiry Officer is appointed, but the charge is not framed in the disciplinary proceedings. As such, he says that the writ petition is premature.

Now, it is to be seen that the petitioner is only challenging the appointment of Enquiry Officer. As and when any charges are framed, if the charges in the criminal case and disciplinary proceedings are one and the same, the authorities have to wait the conclusion of trial in criminal case. Still the petitioner is aggrieved, the

petitioner can approach this Court after framing of the charges.

With the above observations, the writ petition is disposed of. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

31-08-2017
Nvl



