

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
AND
HON'BLE SRI JUSTICE GUDISEVA SHYAM PRASAD

WRIT PETITION No.27212 of 2017

Date:16.8.2017

Between:

K.Nageswer Rao,
S/o Late Paidithalli

..... Petitioner

And:

Union of India, repled by its
Secretary, Ministry of HRD,
New Delhi and three others.

.....Respondents

Counsel for the petitioner: Mr. K.Sudhakar Reddy

Counsel for the respondents: Mr. B.Narayana Reddy

Assistant Solicitor General

The Court made the following:

ORDER: *(per Hon'ble Sri Justice C.V.Nagarjuna Reddy)*

Feeling aggrieved by rejection of his request for grant of interim relief by the Central Administrative Tribunal, Hyderabad Bench, Hyderabad (for short 'the Tribunal') pending O.A.No.021/000538/2017, which was filed against the order of the petitioner's termination, this Writ Petition is filed.

As the facts in detail have been referred to in the impugned order by the Tribunal, it is unnecessary for us to repeat the same. However, it will suffice to note that on a serious allegation of exhibition of immoral sexual behaviour, the services of the petitioner have been terminated, without holding a formal enquiry, in pursuance of notification, vide F.No.14-2/93-NVS(Vig), dated 20.12.1993. Having considered the serious nature of misconduct alleged against the petitioner, the Tribunal declined to exercise its discretion in his favour for suspending the order of termination.

Though Mr. K.Sudhakar Reddy, the learned counsel for the petitioner, tried to impress upon us by arguing the merits of the case, we are not inclined to express any opinion on the merits of the case in view of pendency of the said O.A. before the Tribunal. If the petitioner succeeds in the said O.A., he will be entitled to all the consequential benefits. In the light of the facts

and circumstances of the case, we decline to interfere with the impugned order of the Tribunal.

Accordingly, the Writ Petition is dismissed. The Tribunal is, however, requested to dispose of the said O.A. as expeditiously as possible.

As a sequel to dismissal of the Writ Petition, WPMP.No.33803 of 2017 filed by the petitioner for interim relief is dismissed as infructuous.

JUSTICE C.V.NAGARJUNA REDDY

JUSTICE GUDI SEVASHYAM PRASAD

16th August 2017

DR

