

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No. 30814 OF 2017

ORDER:

This writ petition is filed seeking writ of mandamus declaring the action of the respondents in not considering the claim of the petitioner for reinstatement into service by reviewing the order of suspension issued in Cr.No.A2/185/2016, dated 21.07.2016 though the criminal case is not relating to his official duties, as illegal and arbitrary.

It is the case of the petitioner that basing on certain allegations, he was kept under suspension by the 4th respondent vide proceedings in Cr.No.A2/185/2016, dated 21.07.2016 pending enquiry without paying subsistence allowance.

Heard learned counsel for the petitioner and learned Assistant Government Pleader for Services-1.

Learned counsel for the petitioner submits that as per G.O.Ms.No.86, General Administration (Ser.C) Department, dated 08.03.1994, the order of suspension against a Government Servant shall be reviewed at the end of every six months, but the respondent authorities have not reviewed the suspension of the petitioner though he was suspended by order dated 21.07.2016.

This Court, by order dated 22.09.2017 passed interim order directing the respondents to pay subsistence allowance, if not already paid in terms of the Rules.

Since the Government had already issued guidelines for reviewing the suspension as per G.O.Ms.No.86, dated 08.03.1994, the competent authority is directed to review the order of suspension of the petitioner, pending enquiry against the petitioner in terms of G.O.Ms.No.86, dated 08.03.1994 and take action accordingly, within a period of six weeks from the date of receipt of a copy of this order. The competent authority is also directed to pay subsistence allowance to the petitioner as per Rules in force, if not already paid.

With the above direction, this writ petition is disposed of. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand disposed of.

A.RAJASHEKER REDDY,J

12-10-2017
kvs

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