

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NOS.13002, 13031 & 13034 of 2017

Date: 13.04.2017

WP No.13002 of 2017:

Between:

Palika Siva Rama Krishna S/o Satyanarayana,
Aged about 34 years, Occu: Field Assistant,
Chandrampalem Village, Samalkot Mandal,
East Godavari District.

.....Petitioner

and

The State of Andhra Pradesh, rep.by its
Principal Secretary, Panchayat Raj and Rural
Development, Secretariat Building, Amaravati at
Velagapudi, Guntur District and others.

.....Respondents



The Court made the following:

HONOURABLE SRI JUSTICE P.NAVEEN RAO

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COMMON ORDER:

Heard Sri A.K.Kishore Reddy, learned counsel for petitioners, learned Government Pleader for Panchayat Raj (AP) for respondents 1 & 2, and Sri MSR Chandra Murthy, learned special standing counsel for Mahatma Gandhi National Rural Employment Guaranteed Scheme for respondents 3 and 4 in all the writ petitions.

2. Petitioners in W.PNos.13002 and 13031 of 2017 are working as Field Assistants and petitioner in W.P.No.13034 of 2017 is working as Technical Assistant. In all these three writ petitions, petitioners challenge the order of termination of their services.

3. Several grounds are raised in support of the prayers sought in the writ petitions against the orders of termination of their services.

4. Primarily, learned counsel for petitioners contends that the orders of termination are liable to be set aside on the sole ground that the said orders are not preceded by notices on the allegations levelled against them, calling for opportunity of hearing and passing orders on such consideration, but decision was taken *ex parte* based on some reports, which were never communicated to the petitioners.

5. On instructions, learned special standing counsel do not dispute the fact that prior to passing of the orders impugned, there was no opportunity of hearing to the petitioners.

6. Having regard to these submissions, without entering into the merits on other contentions urged, writ petitions are allowed setting aside the orders impugned. Since the disciplinary authority is the Project Director, he is directed to follow the procedure as required and pass appropriate orders, as warranted by law, on consideration of the defense of the petitioners uninfluenced by the earlier orders of the District Collector, dated 30.03.2017, impugned in these writ petitions. Petitioners are directed to be continued in service as Field Assistants/Technical Assistant till further orders are passed.

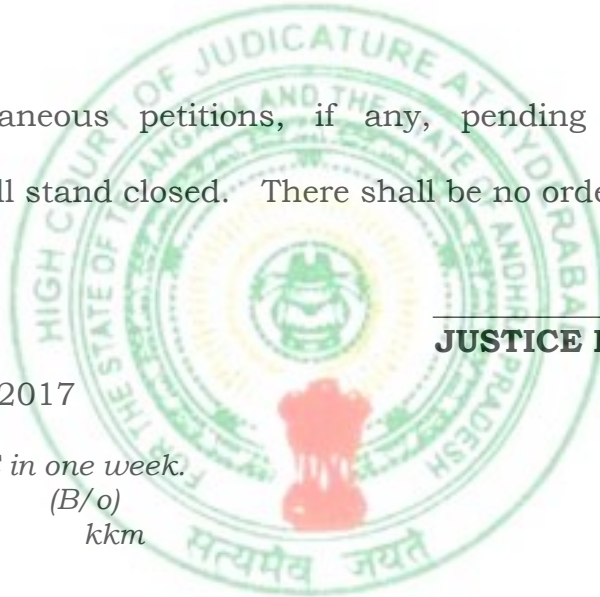
Miscellaneous petitions, if any, pending in these writ petitions shall stand closed. There shall be no order as to costs.

JUSTICE P.NAVEEN RAO

Date: 13.04.2017

Note: Issue CC in one week.

(B/o)
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