

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.13326 OF 2017

Dated:17.04.2017

Between:

V. Usha Kiran, D/o. V.R. Koteshwara Rao,
Aged about 49 years, Occ: Accountant
(Under termination) SSA Srikakulam,
Kasturba Gandhi Balika Vidyalaya,
Patha Patnam, Srikakulam District .. Petitioner

And

The State of Andhra Pradesh, rep., by its
Principal Secretary, School Education
Department, Secretariat, Velagapudi,
Amaravathi, Guntur and others .. Respondents



The Court made the following:

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ORDER:

Petitioner was working as Accountant in Kasturba Gandhi Balika Viudyalaya, Patha Patnam, Srikakulam District. By the order impugned in the Writ Petition, her services were dispensed with. Petitioner challenged the said order primarily on the ground that the order is not preceded by due opportunity of hearing and even though explanation was submitted by the petitioner, the same was not considered and by a non-speaking order, her services were dispensed with.

2. Having regard to the content of the order, learned Standing Counsel for respondents 2 to 4 fairly submits that the matter can be remitted for consideration of the issue afresh.

3. A bare perusal of the order impugned in the Writ Petition would show that there is no discussion on the explanation offered by the petitioner and summarily stated that the explanation was not convincing. The order impugned is stigmatic by which the services of the petitioner were dispensed with and no such summary order can be passed in a casual manner and it has to be preceded by due opportunity and must contain reasons for not accepting the explanation.

4. Thus, the Writ Petition is allowed and the order impugned is set aside and the matter is remitted to the Project Director, Sarvasikha Abhiyan, Srikakulam District, the 4th respondent, for consideration of the issue from the stage of submission of

explanation by the petitioner. It is open to the petitioner to make a request for giving due opportunity of personal hearing, including furnishing of relevant documents based on which charge memo is issued and as and when such request is made, the same shall be objectively considered. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

P. NAVEEN RAO, J

Date:17.04.2017

Note:- Furnish C.C. by one week.

(B/o)
KH

