

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.P.NO.25444 OF 2017

O R D E R

As per the averments made in the affidavit filed in support of the writ petition, the petitioner was working as Field Assistant, Gudadpalli village, Bhupal Mandal in the office of the 3rd respondent – Project Director, District Water Management Agency under the National Rural Employment Guarantee Scheme. By proceedings of the 3rd respondent dated 11.12.2015, he was removed from service and the appeal filed by him to the 2nd respondent – District Collector – cum – District Programme Coordinator of the said scheme, also ended in dismissal by order dated 16.8.2016. Aggrieved by the same, the present writ petition came to be filed.

Heard the learned Assistant Government Pleader for respondents 1 and 2 and Smt. R. Padma Rekha, learned Special Counsel for the 3rd respondent.

A perusal of the impugned order dated 16.08.2016 passed by the 2nd respondent – District Collector, goes to show that as the appeal was not filed within specified time, it was rejected. But before rejecting the appeal, the impugned order does not indicate that any notice providing opportunity, was issued to the petitioner. Therefore, on the ground of violation of principles of natural justice, the impugned order is liable to be set aside and accordingly set aside.

The matter is remitted back to the 2nd respondent for disposal of the delay condonation application in filing appeal by the petitioner in accordance with law, after issuing notice and opportunity of hearing.

The writ petition is accordingly disposed of. No costs.

Miscellaneous petitions pending if any, shall stand closed.

A.RAJASHEKER REDDY,J

DATE:01—08—2017

AVS

