

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.29469 OF 2017

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed seeking the following relief:

“to issue a Writ, Order or Direction(s) essentially in the nature of Writ of Mandamus declaring the impugned proceedings No. No.02 /95(56)/2017-Elr dated 05.08.2017 suspending me from service and also issuing the charge sheet while initiating disciplinary proceedings as illegal, arbitrary resulting in violation of Article 14 and 21 of the Constitution of India and consequently set aside the same.”

2. Heard learned counsel for the petitioner and learned Standing Counsel for the respondents.

3. Learned counsel for the petitioner submits that the charge memo, dated 05.08.2017, issued to the petitioner itself is very vague; that the inspecting officials conducted check in the bus and enquired about the luggage, for which the petitioner submitted that he issued ticket for Rs.112/-. But, the officials dissatisfying with the explanation submitted by the petitioner, issued charge memo stating that the petitioner allowed luggage without passenger and issued ticket for Rs.112/- instead of charging Rs.200/-.

4. On the other hand, learned Standing Counsel for the respondents submits that the impugned order is only suspension pending enquiry and the truth or otherwise of the allegations can be gone into in the enquiry, therefore, there are no grounds to set aside the impugned order.

5. As seen from the record, the petitioner has already submitted explanation on 10.08.2017 to the charge memo. Suspension pending

enquiry is not a punishment. This Court cannot conduct roaming enquiry at this stage, which will affect the disciplinary enquiry pending before the authority. Since the petitioner has already submitted explanation on 10.08.2017 to the charge memo, dated 05.08.2017, the respondent authorities are directed to conclude the enquiry within a period of two (02) months from the date of receipt of a copy of this order.

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

SEPTEMBER 01, 2017
YVL

A.RAJASHEKER REDDY, J



HON'BLE SRI JUSTICE A.RAJASHEKER REDDY



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Date: 01.09.2017

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