

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE N. BALAYOGI

WRIT PETITION No.7084 of 2016

ORDER: (per Hon'ble Sri Justice Sanjay Kumar)

The State and officers of its Police Department are aggrieved by the order dated 24.07.2015 passed by the Andhra Pradesh Administrative Tribunal, Hyderabad, in O.A.No.654 of 2012, filed by the first respondent herein. The said O.A. was filed by him assailing the order dated 31.05.2011 passed by the Superintendent of Police, Krishna District, Machilipatnam, imposing upon him the minor penalty of Censure.

Perusal of the order passed by the Tribunal reflects that the only ground for interference was that the Tribunal came to the conclusion that there was clear violation of the principles of natural justice in imposing the punishment as documents relied upon while imposing the same were not furnished to the employee.

The order dated 31.05.2011 passed by the Superintendent of Police, Krishna District, reflects that, having referred to the charge memo and the explanation offered by the employee, the Superintendent relied upon the special report of the Circle Inspector and thereupon, came to the conclusion that the charged officer had taken an amount of Rs.5,000/- to release the lorry.

Learned Government Pleader for Services (AP) does not dispute the fact that a copy of the special report was not furnished to the first respondent, the charged officer.

In that view of the matter, we find no reason to interfere with the conclusion of the Tribunal that there was a clear violation of the principles of natural justice as the action taken against the first respondent was based upon material which was never disclosed to him.

The writ petition is therefore devoid of merit and is accordingly dismissed. Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

Date: 24.01.2017

SANJAY KUMAR, J

N. BALAYOGI, J