

**THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SMT. JUSTICE ANIS**

W.P.M.P. NO.23284 OF 2016

AND

W.V.M.P.NO.535 OF 2016

IN

W.P.NO.18978 OF 2016

AND

W.P.NO.18978 OF 2016

C O M M O N O R D E R

(Per Hon'ble Sri Justice Sanjay Kumar)

By order dated 16.06.2016 passed in W.P.M.P.No.23284 of 2016 filed in this writ petition, this Court took note of the fact that the Government of Andhra Pradesh had initiated disciplinary proceedings against the 1st respondent and suspended the order passed by the Tribunal directing his reinstatement, which was under challenge. The State was however directed to complete the departmental proceedings within six months from the date of receipt of a copy of the order.

W.V.M.P.No.535 of 2016 was filed by the 1st respondent to vacate the aforestated order.

Sri Ravi Kondaveeti, learned counsel for the 1st respondent, stated that the enquiry has not been completed till date but his client is however being continued under suspension without review thereof.

Learned Government Pleader for Services (Andhra Pradesh), informed this Court that the enquiry against the 1st respondent would have to be taken up after the records relating to the alleged irregularities were transmitted by the State of Telangana. She would further state that as the State of Telangana has also initiated an enquiry in relation to the very same irregularities against four of its employees, the State of Andhra Pradesh cannot proceed with the enquiry till the State of Telangana completes its enquiry and hands

over the relevant records. She would however concede that in terms of the applicable Government Orders, the suspension of the 1st respondent from service would have to be reviewed periodically.

In the light of the aforestated facts, the interim order has to be made absolute as giving effect straightaway to the direction of reinstatement passed by the Tribunal would render this writ petition infructuous. That being said, the State necessarily has to review the suspension of the 1st respondent from service periodically as mandated by the relevant Government Orders. There shall accordingly be a direction to the authorities concerned to do so.

When this Court was about to make this order in the miscellaneous petitions, Sri Ravi Kondaveeti, learned counsel for the 1st respondent, stated that once review of the suspension is undertaken, no further adjudication would be necessary in this writ petition as such review would give rise to a fresh cause of action.

In that view of the matter, the writ petition is disposed of leaving it open to the 1st respondent to seek redressal of his grievance, if any, after review of his suspension, before the appropriate forum in accordance with law.

Pending miscellaneous petitions, if any, shall stand closed. No costs.

SANJAY KUMAR, J

ANIS, J

13th FEBRUARY, 2017

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