

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.39498 OF 2017

ORDER:

The petitioner was appointed as Field Assistant in Kallada Gram Panchayat, Nandigam Mandal, Srikakulam District, by proceedings 25.05.2007 of the fifth respondent. The petitioner belongs to Scheduled Tribe community. While so, the petitioner was kept under suspension by proceedings dated 01.05.2015 and she was asked to submit her explanation within seven days from the date of receipt of the said notice for the charges levelled against her. She submitted explanation on 15.05.2015. When no final orders were passed, the petitioner filed W.P.No.32838 of 2015 before this Court and this Court disposed of the said writ petition on 08.10.2015 directing the fourth respondent therein to conduct enquiry against the petitioner in accordance with law and pass appropriate orders after affording opportunity of hearing and considering the explanation submitted by her, within a period of eight weeks from the date of receipt of copy of the said order, failing which the order of suspension shall stand revoked.

Now the learned Government Pleader submits that no final order was passed. In that event, the order of suspension passed against the petitioner should have been revoked.

The writ petition is allowed and the respondents 4 and 5 are directed to reinstate the petitioner as Field Assistant in Kallada Gram Panchayat, Nandigam Mandal, Srikakulam District, forthwith. However, the reinstatement would be subject to final orders to be passed by the competent authority, pursuant to the show cause notice issued to the petitioner dated 01.05.2015.

Consequently, miscellaneous petitions, if any pending, in this writ petition, shall stand closed. There shall be no order as to costs.

A.RAMALINGESWARA RAO, J

18.12.2017
pln

