

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No. 40112 of 2017

Order:

The petitioner was initially appointed as Field Assistant under Rural Employment Guarantee Scheme in the year 2006. Subsequently, he was promoted as Senior Mate. While so, the third respondent issued an order on 21.07.2016 placing the petitioner under suspension on the ground that he failed to discharge his duties properly. The petitioner states that the said allegation was levelled against him based on the proceedings issued by the fourth respondent dated 02.05.2016 and the Additional Programme Officer, Kollapur cluster dated 03.05.2016. When no enquiry was conducted and no orders were passed till date, the petitioner filed the present Writ Petition.

After adjourning the matter, learned counsel appearing for the respondents fairly submitted that no enquiry was conducted and no final orders were passed so far.

The action of the third respondent in not conducting any enquiry and continuing the petitioner under suspension since July 2016 is totally arbitrary and this Court is *prima facie* satisfied that the third respondent kept the petitioner under suspension at the behest of the fourth respondent who wanted to replace the petitioner by another Senior Mate. However, it is a *prima facie* opinion and since no enquiry was conducted, the third respondent is directed to conduct an enquiry and pass final orders within a period of four weeks from the date of receipt of a copy of this order by giving due notice to the petitioner and hearing him.

The Writ Petition is, accordingly, disposed of. There shall be no order as to costs.

As a sequel thereto, the miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

A. RAMALINGESWARA RAO, J

Date: 05.12.2017
Nsr

