

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No. 41554 of 2017

Order:

The petitioner was appointed as Field Assistant in Papakollu Village Gram Panchayat, Julurupadu Mandal, Badradri Kothagudem District in the year 2010. There were certain allegations against the petitioner relating to his work and it appears that he was issued several show cause notices. In spite of the same, when the petitioner did not improve his performance, the Programme Officer reported for taking action against the petitioner. The said recommendation of the Programme Officer along with the record was considered and an order was passed on 28.04.2017 terminating the services of the petitioner. When the services of the petitioner were terminated, the same is challenged in the present Writ Petition on the ground that no enquiry was conducted against him.

Though learned counsel for the petitioner submitted that no enquiry was conducted against the petitioner, learned Standing Counsel appearing for the respondents produced before this Court an order dated 30.04.2017 showing the number of opportunities given to the petitioner to improve his performance and the various allegations levelled against him.

Though it may be true that there are several allegations against the petitioner, the alleged enquiry was not conducted by giving an opportunity to the petitioner. The petitioner was not examined nor put on notice. It is not known whether the said allegations are correct or not in the absence of any opportunity given to the petitioner.

In view of the above circumstances, this Court is constrained to set aside the impugned order dated 28.04.2017, terminating the petitioner

from service as Field Assistant of Papakollu Village Gram Panchayat, Julurupadu Mandal, Badradri Kothagudem District, and remand the matter to the second respondent for conducting fresh enquiry by giving due opportunity to the petitioner and pass appropriate orders thereon within a period of two (2) months from the date of receipt of a copy of this order.

The Writ Petition is, accordingly, allowed. 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.

Date: 18.12.2017
Nsr

A. RAMALINGESWARA RAO, J

