

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.43823 of 2017

ORDER:

The petitioners were appointed as Field Assistants under Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS). While so, the fourth respondent issued a show cause notice on 17.08.2017 alleging certain irregularities and asking them to show cause as to why their services should not be terminated. They submitted their explanation. However, without considering the explanation when final orders were passed on 28.10.2017 terminating their services, the present Writ Petition is filed.

There is no reference to the explanation in the impugned orders, and the learned Standing Counsel for the respondents fairly submits that the explanation was already filed.

Since the impugned orders were passed without considering the explanation, this Court is constrained to set aside the impugned orders dated 28.10.2017 and remand the matter to the fourth respondent for consideration of the explanation of the petitioners pursuant to the show cause notice already issued and pass appropriate orders by taking into account the contents of the explanation.

The Writ Petition is, accordingly, allowed at the admission stage. The miscellaneous petitions pending in this Writ Petition, if any, shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

22.12.2017
vs