

**HON'BLE SRI JUSTICE SURESH KUMAR KAIT
AND
HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI**

WRIT PETITION No.2387 of 2018

ORDER: (ORAL)

(Per Suresh Kumar Kait, J)

Vide the present petition, petitioner has assailed order dated 28.07.2017 passed by the Andhra Pradesh Administrative Tribunal in O.A.No.2828 of 2014, whereby the application filed by the petitioner under Section 19 of the Administrative Tribunals Act, 1985 has been dismissed.

2. Learned counsel appearing on behalf of the petitioner submits that the petitioner could not attend the induction training at Dhumugudem Police Station of Khammam District, since he was arrested in Cr.No.49 of 2013 of Palkol Police Station, West Godavari District, registered for the offences under Sections 376, 417, 420 and 506 IPC on 30.04.2013. Since the said crime has been quashed by this Court in CrI.P.No.5815 of 2013 vide order dated 19.06.2013, the departmental enquiry should not have been commenced and proceeded with. The said crime was quashed by this Court on the ground that the de facto complainant therein compromised the matter with the petitioner and they married each other.

3. Having regard to the facts and circumstances of the case, without interfering with the order passed by the Tribunal, we give an opportunity to the petitioner to make representation, making all

averments as stated in the present writ petition, to the 3rd respondent, within two weeks from the date of receipt of the order. Thereupon, the 3rd respondent shall consider the same and pass appropriate orders within two weeks thereafter and communicate the decision taken on the said representation within one week there-from.

4. Writ petition is accordingly disposed of. No order as to costs.

As a sequel, miscellaneous petitions, if any pending, shall stand closed.

SURESH KUMAR KAIT, J

ABHINAND KUMAR SHAVILI, J

February 09, 2018
MRR

