

HON' BLE SRI JUSTICE SURESH KUMAR KAIT
&
HON' BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.A. No. 236 of 2018

JUDGMENT:- (ORAL)

(Per Hon'ble Sri Justice Suresh Kumar Kait)

This writ appeal is preferred against the order dated 19.12.2017 in W.P.No. 43200 of 2017 passed by learned Single Judge of this Court, whereby the writ petition filed by the appellant, has been dismissed.

The learned Government Pleader submits that departmental enquiry against the appellant is at the advanced stage and the respondents have strictly followed the procedure under Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

It is pertinent to mention here that this Court, by order dated 11.04.2018, while granting interim suspension, observed that this order, however, shall not preclude the respondents-authorities from initiating measures strictly in accordance with the due procedure laid down in Rule 20 of the aforementioned Rules.

Since the departmental enquiry is pending against the appellant, this Court is of the view that the respondents may proceed with the enquiry and take action in accordance therewith, without getting influenced by the Final Show Cause Notice, dated 04.12.2017 wherein it is held under:

“In view of the above, based on the records available, Smt.K.Sidevi, SGT MPPS Vallabhi, Mudigonda Mandal, is hereby directed to show cause as to why she may not be awarded Major penalty under CCA rules for unauthorized absence to duty which caused heavy loss to the students as per G.O.Ms.No. 70, dated 06.07.2009 and G.O.Ms.No. 260, GAD, Dt. 04.09.2003 for the following reasons.”

However, if the appellant is aggrieved by the action of the respondents, she is at liberty to challenge the same before the appropriate forum.

With the above observation, the writ appeal is closed.
No order as to costs.

As a sequel, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.

02.08.2018

SURESH KUMAR KAIT, J

bcj

ABHINAND KUMAR SHAVILI, J