

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.P.NO.9191 OF 2018

ORDER

Assailing the order of suspension dated 5.3.2018 pending enquiry, the present writ petition is filed.

Sri A.K.Jayaprakash Rao, learned counsel for the petitioner, submits that petitioner was working as Driver and his services were being taken as Driver – cum – Conductor and on the basis of cash and ticket irregularities, he was charge sheeted and suspended pending enquiry. He submits that on the date of check, checking officials have not recorded the statement of the petitioner and the passengers, and they did not obtain signature of the petitioner, on the report prepared during check. He stated that there is also discrepancy with regard to time of cheque and the alleged closure of S.R. Thus the procedure followed by the checking officials, amounts to violation of principles of natural justice and hence suspending the petitioner based on such material, amounts to non-application of mind and therefore, he sought to revoke the suspension.

Heard Sri B.Mayur Reddy, learned Standing Counsel for respondent – Corporation.

This is a case of suspension pending inquiry. Normally this court will not interfere with the order of suspension pending enquiry, unless it is without jurisdiction or with *mala fides*. Both the grounds are not raised in the writ petition with any cogent material. The allegations against the petitioner are cash and ticket irregularities, the truth or otherwise of which, can only be decided during the course of enquiry. Since, as per the submissions of the learned counsel, the enquiry is already in progress, the writ petition can be disposed of with a direction to the respondents to complete the enquiry within certain time limit.

For the foregoing reasons, without expressing any opinion on merits, the writ petition is disposed of with a direction to the respondents to complete the enquiry and take appropriate action in accordance with law within a period of four weeks from the date of receipt of a copy of this order. It is needless to observe that the petitioner shall co-operate with the enquiry.

It is made clear that in case of default on the part of respondents in completing the enquiry within the time stipulated above, they are directed to reinstate the petitioner into service forthwith.

Miscellaneous petitions pending, if any, shall stand closed. No costs.

A.RAJASHEKER REDDY,J

DATE:22—03—2018

AVS

