

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WP No.10057 of 2018

ORDER::

This writ petition is filed challenging the proceedings No.68/ICDS-IV/2017(1), dated 20-07-2017, wherein the petitioner was removed from service as Aganwadi Helper basing on the criminal case registered against the her and others in Cr.No.570/2017 for the offences punishable under Sections 406, 409, 411 and 420 IPC.

Learned counsel for the petitioner submits that notice was issued to the petitioner on 19-07-2017 granting three days time. But even before the petitioner filed explanation, the impugned order is passed, which is in violation of principles of natural justice.

On the other hand, learned Assistant Government Pleader for Women and Child Welfare submits that once the criminal case is registered against the petitioner, she is liable to be terminated.

It is to be seen that having issued notice on 19-07-2017 granting three days time, at least, the respondents should have waited for three days time and the petitioner asserts that she submitted her explanation to the charges levelled against her.

This Court in WP No.29085 of 2017 in similar fact situation passed orders and set aside the impugned order therein. In view of the same, following the said order, without expressing any opinion on merits, the impugned order is set aside on the ground of violation of principles of natural justice. However, this order will not preclude the competent authority from passing orders after considering the explanation of the petitioner said to have been

submitted by her in that behalf. Accordingly, the writ petition is allowed to the extent indicated above. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A. RAJASHEKER REDDY, J

Dated: 16-04-2018
NRG



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