

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WP No.15228 OF 2018

ORDER ::

This writ petition is filed questioning the order dated 27-10-2017 whereby and whereunder the petitioner who is working as Sub-Overseer in the respondent-Singareni Collieries Company Limited was placed under suspension for his involvement in a criminal case registered by the ACB and in that connection he was remanded to judicial custody for more than 48 hours.

2. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case and got him trapped. It is also stated that the petitioner has submitted a detailed explanation dated 20-03-2018 to the charge sheet-cum-suspension order dated 27-10-2017 issued to him and in the facts and circumstances of the case, the impugned order of suspension is liable to be set aside.

3. On the other hand, Sri J. Srinivasa Rao, learned standing counsel for the respondent-Singareni Collieries Company Limited submits that since the petitioner has not informed of his arrest on the allegation of criminal charges and has been

in judicial custody for more than 48 hours, the Standing Orders of the Company stipulates that the delinquent be placed under suspension, pending enquiry, and therefore, no exception can be taken to the impugned order in placing the petitioner under suspension.

4. Admittedly, the petitioner is involved in a criminal case of illegal gratification registered by the ACB and in that connection he has been in judicial custody for more than 48 hours. Normally, this Court will not interfere with the order of suspension pending enquiry unless the order passed is without jurisdiction or arbitrary exercise of the jurisdiction. However, it is stated that the petitioner has already submitted his explanation to the charge sheet issued to him, it is for the respondent-authorities to take a decision in the matter. Inasmuch as it is a case of suspension, pending enquiry, the respondents shall complete and conclude the enquiry and pass appropriate orders thereon, in accordance with law, within a period of three months from the date of receipt of a copy of this order.

5. With the above directions, the writ petition is disposed of. Miscellaneous petitions, if any pending in this case shall also stand disposed of. There shall be no order as to costs.

A. RAJASHEKER REDDY, J

Dated: 26-04-2018
NRG



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