

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.16792 OF 2018

ORDER :

This Writ Petition is filed challenging the proceedings No.01/535(10)/2018-CPT, dated 20.04.2018, wherein and whereby the petitioner was suspended from service pending enquiry.

Heard learned counsel for the petitioner and Sri P.Durga Prasad, learned Standing Counsel for the 2nd respondent.

Learned counsel for the petitioner submits that due to road widening, petitioner could not complete the journey and passengers themselves asked the petitioners to stop the bus as the road widening work is in progress, there is no possibility of plying the bus on the said road. As such, there is no fault on the part of the petitioner in completing the journey.

On the other hand, Sri P.Durga Prasad, learned Standing Counsel for the 2nd respondent submits that petitioner was issued charge sheet as well as suspension order on 20.04.2018 and the petitioner submitted explanation on 29.04.2018 and that they will enquire into the matter and pass appropriate orders.

In this case, it is to be seen that on the allegation that the petitioner skipped the stops at Miryalaguda, Nalgonda, Dachepalli, Piduguralla and Valaparla, a preliminary enquiry was conducted and basing on the preliminary enquiry report dated 16.04.2018, he was suspended from service by the impugned proceedings dated 20.04.2018. The truth or otherwise of the allegations

against the petitioner will be gone into in the enquiry to be conducted by the respondents. Normally, this Court will not interfere with the order of suspension pending enquiry unless the same is arbitrary or without jurisdiction. In this case, as per the preliminary enquiry report, petitioner has skipped more than five stops.

In view of the same, I do not see any reason to interfere with the order of suspension. However, since the petitioner had already submitted explanation to the charge memo on 29.04.2018, the respondents are directed to complete the enquiry within a period of four weeks from the date of receipt of a copy of this order and the petitioner should also cooperate with the enquiry. If the enquiry is not completed with the aforesaid period of four weeks, the respondents shall reinstate the petitioner into service, subject to further orders in the enquiry to be conducted by the respondents.

With the above direction, this Writ Petition is disposed of. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition, shall stand closed.

02.05.2018
kvs

A.RAJASHEKER REDDY, J

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Date: 02.05.2018

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