

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.16132 of 2017

ORDER:

In this writ petition, under Article 226 of the Constitution of India, the only grievance of the writ petitioner is that the charge sheet *vide* proceedings No.CRP/PER/C/012/958, dated 07.04.2017, issued by the 2nd respondent is vague, being bereft of any particulars and, hence, the charge sheet is liable to be set aside.

2. I have heard the submissions of Sri *K.Vasudeva Reddy*, learned counsel appearing for the petitioner, and of Sri *J.Sreenivasa Rao*, learned Standing Counsel for Singareni Collieries Company Limited, appearing for the respondents 1 to 3. I have perused the material record.

3. On 06.06.2017, this Court, while admitting the writ petition, granted the following interim order in W.P.M.P.Nos.19832 & 19833 of 2017:

“Prima facie, the charge-sheet issued to petitioner is absolutely vague since it is without any particulars as to which persons were referred to the Medical Board by him and whose cases turned out to be fake.

Therefore, there shall be interim suspension as prayed for.”

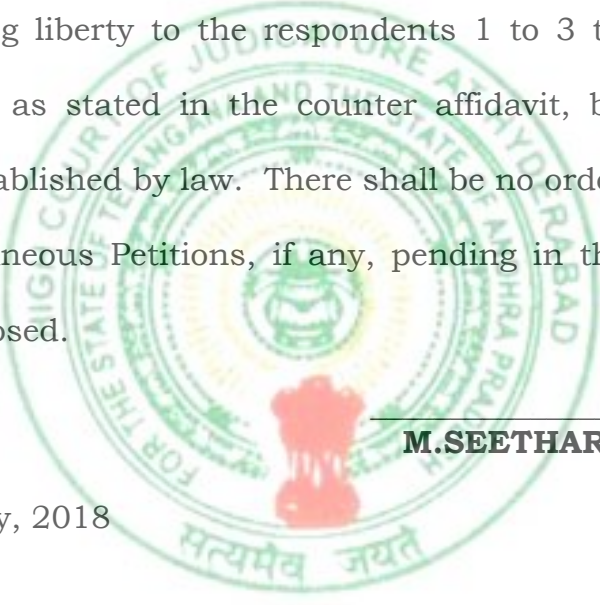
4. Thereafter, the respondents 1 to 3 filed a vacate petition and in the affidavit filed in support of the vacate petition, while *inter alia* stating the stand of the respondents, it is stated that the respondents are prepared to issue a fresh charge sheet with all necessary particulars including the names of those persons whose cases have been referred to the Medical Board and whose cases

have been found to be fake and also the list of witnesses who may be proposed to be examined duly indicating the same in the charge sheet and that in that view of the matter, the writ petition may be disposed of.

5. In the considered view of this Court, if the request made by the vacate petitioners/respondents 1 to 3 is considered, the ends of justice would be met.

6. In the result, the Writ Petition is allowed and the charge sheet issued to the petitioner, which is impugned in the writ petition is set aside reserving liberty to the respondents 1 to 3 to issue a fresh charge sheet, as stated in the counter affidavit, by following the procedure established by law. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this writ petition shall stand closed.



M.SEETHARAMA MURTI, J

Date: 12th July, 2018

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