

HON' BLE SRI JUSTICE SURESH KUMAR KAIT
&
HON' BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.A. No. 968 of 2018

JUDGMENT:- (ORAL)

(Per Hon'ble Sri Justice Suresh Kumar Kait)

This writ appeal is preferred against the order dated 05.07.2018 passed in W.P.No. 21091 of 2018, whereby the learned Single Judge of this Court, while disposing of the writ petition, directed the 3rd respondent – temple to conclude the disciplinary proceedings as expeditiously as possible, preferably within a period of three months from the date of receipt of a copy of the order.

The undisputed facts are that Charge Memo was issued against the appellant on 31.03.2013 and the appellant filed explanation thereto on 24.05.2013, and thereafter, by virtue of the proceedings in Rc.No.VI/ 47368/ 2012, dated 02.06.2014 issued by the Additional Commissioner, Endowments Department, A.P., enquiry officer was appointed.

The learned counsel for the appellant submits that inasmuch as enquiry has not been completed, the appellant filed W.P.No. 21091 of 2018, and the learned Single Judge, by impugned order dated 05.07.2018, disposed of the writ petition directing the respondents to conclude the enquiry within a period of three months.

The learned Government Pleader for Endowments appearing on behalf of the respondents pleads this Court to add a default clause in the judgment for completion of enquiry.

Keeping in view the fact that charge Memo is dated 31.03.2013, and on 02.06.2014, enquiry officer has been appointed, however till date enquiry has not been completed, this Court, while upholding the finding recorded by the learned single Judge, direct the respondents to conclude the enquiry within a period of three months. It is made clear that if the enquiry is not completed within the stipulated time, the Charge Memo dated 31.03.2013 issued against the appellant shall stand quashed.

With the above observation, the writ appeal is disposed of. No order as to costs.

As a sequel, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.

20.07.2018

SURESH KUMAR KAIT, J

bcj

ABHINAND KUMAR SHAVILI, J