

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 27236 of 2018

Date : 3.8.2018

Between:

Pangi Krishna Rao S/o P Lakshmayya
Aged 38 years Occ Field Assistant Removed R/o Door No 299
Gotchari Village Guda Post Hukumpeta Mandal
Visakhapatnam District

Petitioner

And

State of Andhra Pradesh
Rep by its Principal Secretary to Government
Panchayat Raj and Rural Development Department
Secretariat
Velagapudi Amaravati
Guntur District

Respondents

The Court made the following:



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ORAL ORDER:

Heard learned counsel for petitioner, learned Government Pleader for Panchayat Raj for respondents 1 and 2 and learned Special standing counsel Sri M.S.R.Chandra Murthy for respondents 3 and 4 and with their consent the writ petition is taken up for final disposal at the admission stage.

2. Services of the petitioner as Field Assistant were terminated by order dated 21.2.2017. Though, the order gives details of the allegations made against petitioner, it is not in dispute that no notice or opportunity was afforded to the petitioner before terminating his services.

3. When petitioner preferred appeal, the Appellate Authority also has examined the contentions urged and rejected the appeal by order dated 28.3.2018. Thus, the order of the original authority as confirmed by the Appellate Authority are not maintainable in law.

4. Having regard to the nature of the orders passed, learned Special standing counsel fairly submits that the matter may be remanded with liberty to initiate fresh proceedings basing on the allegations leveled against the petitioner.

5. Accordingly, the impugned orders dated 21.2.2017 and 28.3.2018 are set aside and the writ petition is allowed. However, the Project Director/third respondent is at liberty to take appropriate action as warranted by law on the allegations leveled against the petitioner. No costs. Miscellaneous petitions, if any pending, are closed.

P NAVEEN RAO,J

DATE: 3-08-2018
TVK

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