

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.27447 OF 2018

DATED :06.08.2018

Between :

Banda Srinu S/o.Tatabbai,
Aged about 36 yrs, R/o.Dalimpeta Village,
Latchannapalem Panchayat,
Nathavarampalem Mandal,
Visakhapatnam District

.. Petitioner

And

The State of Andhra Pradesh,
Panchayat Raj & Rural Development Department,
Rep., by its Principal Secretary,
Secretariat, Velagapudi,
Amaravati, Guntur District & others.

.. Respondents



This court made the following :

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ORDER :

Heard learned counsel for the petitioner and learned Special Standing Counsel for respondents 2 and 4.

2. Petitioner is working as Field Assistant. By the order dated 17.07.2018 he is placed under suspension and simultaneously show cause notice was also issued calling upon the petitioner to submit his explanation on the allegations leveled against him. Petitioner claims to have submitted explanation on 23.07.2018. At this stage, this writ petition is filed challenging the proceedings dated 17.07.2018.

3. It is not the case of the petitioner that the Project Director is not competent to place him under suspension and initiate disciplinary proceedings. At this stage learned counsel for the petitioner sought to contend that the terms of the show cause notice is not valid; that vague and unsubstantive allegations are made and the relevant documents based on which disciplinary proceedings are initiated are not furnished to the petitioner.

4. These are all issues which can be agitated before the competent authority and in the pending enquiry. The Court cannot go into those aspects even before the issue is raised before the competent authority and considered by the competent authority.

5. At this stage learned counsel for the petitioner would submit that personal hearing be afforded to the petitioner to explain on the various allegations leveled against him and to substantiate his

defence. The same is accepted by the learned Special Standing counsel.

6. Having regard to the above submissions, the Writ Petition is disposed of directing the Project Director, District Water Management Agency-2nd respondent to afford personal hearing to the petitioner by fixing the date in advance and intimate the same to the petitioner. During the course of personal hearing petitioner is entitled to raise all the pleas as available in law. On due consideration of the pleas raised by the petitioner, appropriate orders be passed as expeditiously as possible, preferably within a period of four (4) weeks from the date of receipt of copy of this order. Pending miscellaneous petitions, if any, shall stand closed.

6th August, 2018

P.NAVEEN RAO,J

Note :

Issue c.c. in three (3) days.

B/o.
Rds

