

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION (TR) No. 4791 OF 2017

ORDER:

It is stated by the learned counsel for the petitioner that the *lis* in this Writ Petition is squarely covered by the Common Order of the Division Bench of this Court in W.P.Nos.25028 and 25452 of 2013 and same is not disputed by the learned Assistant Government Pleader for Services.

In this case, it is to be seen that the petitioner along with two others i.e., Sri Y.Sridhar Ex.PC 258 and Sri A.Laxman Raju, Ex-PC 2975 were placed under suspension vide proceedings of 1st respondent in D.O.No.2343/2009, dated 08.07.2009. Subsequently, after framing of charges against them and after having been proved against them by the Disciplinary Authority, they were awarded the punishment of 'Dismissal from Service' vide proceedings in D.O.No.2655 of 2011, dated 30.09.2011 and the final order in respect of the petitioner is kept in abeyance as he was already terminated from service vide D.O.No.2270/2011, dated 01.05.2011.

Aggrieved by the orders of the Disciplinary Authority, said Y.Sridhar and A.Laxman Raju preferred appeals before the Appellate Authority and the same was rejected by the Appellate Authority vide proceedings Rc.No.4352/Appeal-1/2011, dated 17.07.2012 and Rc.No.4352/Appeal-1/2011-1,

dated 17.07.2012 respectively confirming the order of the Disciplinary Authority. Aggrieved by the orders of the appellate authority, they preferred O.A.Nos.9181/2011 & 9385/2011 before the Andhra Pradesh Appellate Tribunal, Hyderabad. The Tribunal while allowing the aforesaid OAs, set aside the impugned proceedings dated 17.07.2012 against said Y.Sridhar and A.Laxman Raju vide Common Order dated 22.02.2013 and directed for their reinstatement into service. Aggrieved by the same, the Government preferred W.P.Nos.25028 and 25452 of 2013, which were dismissed by the Division Bench of this Court on 29.02.2016 confirming the orders of the Tribunal. Subsequently, the 1st respondent issued proceedings in Rc.No.29/PR-II/A5/Cyb/2009-16, dated 14.06.2016, reinstating said Y.Sridhar and A.Laxman Raju into service. Petitioner was also terminated from service basing on the similar charges as against said Y.Sridhar and A.Laxman Raju.

For the reasons alike in the Common Order dated 29.02.2016 in W.P.Nos.25028 and 25452 of 2013, this Writ Petition is allowed setting aside the impugned D.O.No.2270/2011 in Rc.No.107/A2/Probation/Cyb/2011, dated 01.08.2011 and its consequential rejection of Government Memo.No.28028/Ser.II/A3/2011, dated 24.04.2014 and consequential proceedings vide Rc.No.107/A2/probation/Cyb/2011-14, dated 26.05.2014

issued by the 1st respondent and issue consequential proceedings thereof for reinstating him into service.

There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending in this Writ Petition shall stand dismissed.

A.RAJASHEKER REDDY,J

19-04-2018

kvs



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