

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.33866 OF 2018

DATED :28.09.2018

Between :

Dr.Byram Sujatha W/o.M.Ronald Srikar,
38 yrs, Civil Assistant Surgeon,
Unit Hospital, 1st Battalion,
Government TB and Chest Diseases Hospital,
Anantagiri, Vikarabad, RR District.

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Petitioner

And

Director of Public Health & Family Welfare,
State of Telangana, Sultan Bazar,
Koti, Hyderabad & another.

..

Respondents



This court made the following :

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

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ORDER :

Heard learned counsel for the petitioner and learned Government pleader for Services (II) for respondents.

2. In this writ petition, petitioner is challenging the order of dismissal from service. Several contentions are urged in the writ petition. However, it is suffice to note the primary contention urged for consideration at this stage is that without assigning reasons in support of the decision, the petitioner is dismissed from service. Petitioner submitted elaborate explanation. Several objections were raised on the manner in which enquiry was conducted, disciplinary action was taken and the findings recorded. But without referring to any of the contentions, simply holding that the explanation submitted by the officer found no merit, the order of dismissal from service is passed.

3. Having regard to the content of the order, learned Government pleader also does not dispute the fact that the order does not contain reasons.

4. Dismissal from service would throw the employee out of employment and would deprive all service benefits. Any order which has civil and evil consequences must contain reasons in support of the decision. As the order impugned herein does not contain reasons in support of the decision, on this ground alone, the order is liable to be set aside and is accordingly set aside.

5. The Writ Petition is allowed and petitioner is entitled to all consequential benefits. However, it is open to the competent authority to take appropriate course of action as warranted by law and this order does not come in the way of competent authority taking any decision. It is also made clear that petitioner can raise all the pleas as available to her and as raised in this writ petition in appropriate proceedings, if any adverse decision is made. Pending miscellaneous petitions shall stand closed.

28th September, 2018

Note : Issue c.c. by 03.10.2018

B/o.
Rds

P.NAVEEN RAO,J

