

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.19763 OF 2017

ORDER

This writ petition is filed seeking the following relief:

“...to issue a Writ of Mandamus or any other appropriate Writ, Order or direction declaring the Order No.28688/CE(MHA)/E3/GHMC/2017, dated 6.5.2017 issued by the Commissioner the Greater Municipal Corporation of Hyderabad (GHMC), Hyderabad, the 2nd respondent herein, suspending the petitioner herein, pending enquiry as illegal, arbitrary, without jurisdiction, discriminatory, in violation of Articles 14 and 16 of the Constitution of India and contrary to the instructions issued by the Govt. From time to time and set aside the same and consequently direct the respondents herein to continue the petitioner herein as Assistant Executive Engineer and pass such other order or orders as may be just and necessary.”

While admitting the writ petition on 21.06.2017, this Court in WPMP No.24133 of 2017 granted interim suspension of the impugned order.

Learned counsel appearing for the petitioner submits that in pursuance of the said interim order, the petitioner is continuing in service and he is going to retire from service in the month of March, 2020. Learned counsel further submits that appropriate order be passed by making the interim order absolute and directing the respondents to continue the petitioner in service without subjecting him to suspension.

Learned Government Pleader for Services appearing for respondent Nos.1 and 3 submits that since the petitioner was negligent in submitting the bills to the Audit without proper scrutiny and not following the Circular Instructions issued by the Department from time to time, he was placed under suspension. Learned Government Pleader further submits that pursuant to the interim order granted by this Court on 21.06.2017 the petitioner was continued in service. Learned Government Pleader seeks liberty to the respondents to initiate disciplinary proceedings against the petitioner, if the disciplinary authority intends to do so.

Having considered the rival submissions made by the learned counsel on either side, this Writ Petition can be disposed of directing the respondents to continue the petitioner in service. However, the respondents are at liberty to initiate disciplinary proceedings against the petitioner, if the disciplinary authority intends to do so, in accordance with Rules. No costs.

Accordingly, the Writ Petition is disposed of. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

8th August, 2019
rkk

