

**HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI**

**W.P.No.2891 OF 2019**

**ORDER**

With the consent of learned counsel on either side, this writ petition is disposed of at the admission stage.

This writ petition is filed seeking the following relief:

“to issue an order or direction more in the nature of Writ of Mandamus declaring that the order issued in G.O.Rt.No.323, Revenue (Vigilance-II) Department, dated 24-5-2017 and the consequential review order in Govt.Memo.No.11434/Vig.II(1)/2017-5, dated 3.7.2018 issued by the 1<sup>st</sup> respondent as illegal, arbitrary, contrary to law and unconstitutional and consequently direct the 1<sup>st</sup> respondent to reinstate and continue the petitioner in service as Deputy Commissioner of Commercial Taxes now re-designated as Joint Commissioner, State GST with all consequential benefits.”

Heard Sri K.Sitaram, learned counsel appearing for the petitioner and learned Government Pleader for Commercial Taxes appearing for the respondents.

It is the case of the petitioner that he is working as Deputy Commissioner of Commercial Taxes (Appeals) (now re-designated as Joint Commissioner State GST, Hyderabad). While so, alleging certain irregularities, a case in Cr.No.52 of 2017 was registered against him by Bodhan Police Station for the offences punishable under Sections 406, 420 and 468 read with Section 34 IPC. In that connection, the petitioner was

arrested and he was kept in judicial custody for more than 48 hours. In view of the same, he was placed under suspension vide G.O.Rt.No.323, dated 24.05.2017.

The grievance of the petitioner is that almost one year period has elapsed, but the respondents are not taking any steps to revoke the suspension order and that they declined to revoke the suspension order *vide* proceedings dated 03.07.2018 and continued him under suspension.

Learned counsel appearing for the petitioner submits that though one year period has elapsed, the respondents have not chosen to review the suspension order and continuing him under suspension and that appropriate orders be passed directing the respondents to review the suspension order strictly in terms of G.O.Ms.No.526, dated 19-08-2008 and further direct the respondents to reinstate the petitioner into service with all consequential benefits.

Learned Government Pleader appearing for the respondents submits that the case of the petitioner would be considered and appropriate orders would be passed by reviewing the suspension order in terms of G.O.Ms.No.526 dated 19.08.2008.

Having considered the rival submissions made by the learned counsel on either side, this Writ Petition is disposed of

directing the respondents to review the suspension order dated 24.5.2017 in terms of G.O.Ms.No.526, dated 19.08.2008 and pass appropriate orders in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

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JUSTICE ABHINAND KUMAR SHAVILI

*2<sup>nd</sup> July, 2019*  
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