

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.13511 of 2019

ORDER:

This writ petition is filed seeking a Writ of Mandamus declaring the orders dated 09.10.2015 passed by the 5th respondent and the further action of respondents in continuing the petitioner under suspension pursuant to proceedings dated 09.10.2015, as illegal, arbitrary and without jurisdiction and sought consequential direction to set aside the same with all consequential benefits.

Heard Sri A.Prabhakar Rao, counsel for petitioner and G.P. for Agriculture, appearing for respondents.

It has been contended by the petitioner that he is working as Chief Executive Officer with respondent No.5 and has been placed under suspension on 09.10.2015 on the alleged ground that he had indulged in grave irregularities in collection of loans and not disbursed hamali charges to the farmers and also with regard to sale of fertilizers at higher rates than the MRP rates and was also taking bribe from the Directors.

Counsel for petitioner submits that except placing the petitioner under suspension, no disciplinary action has been initiated and that the action of respondents in not concluding the disciplinary proceedings said to have been initiated against the petitioner even after placing him under suspension for four years, is arbitrary exercise of power. Therefore, counsel for petitioner contends that appropriate orders be

passed in the writ petition directing the respondents to review the suspension order dated 09.10.2015, in accordance with the bye-laws.

The learned Government Pleader appearing for respondents contends that as per the bye-laws, the disciplinary authority has to review the suspension orders periodically, and accordingly, the suspension orders of petitioner will be reviewed in accordance with the bye-laws.

This Court, having considered the rival submissions of the parties, is of the considered view that this writ petition can be disposed of directing respondent No.5 to review the suspension orders dated 09.10.2015 in accordance with the bye-laws and pass appropriate orders in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of. No order as to costs.

Pending miscellaneous applications, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

13th August, 2019

ajr