

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.13975 of 2019

ORDER:

This writ petition is disposed of at the stage of admission with the consent of learned counsel for the respective parties.

This writ petition is filed seeking the following relief :-

“.....to issue an appropriate Writ, Order or Direction more particularly one in the nature of Writ of Mandamus to declare the action of the 2nd Respondent in suspending the petitioner from his service as a Junior Inspector/ Aswaraopet Circle, O/o the District Cooperative Officer, Bhadradi Kothagudem from 21/02/2019 vide impugned proceedings Rc.No. 1751/2019/ Disc dated 12/03/2019 without any justification on the untenable ground that he was involved in a criminal case filed by his wife and detained in judicial custody for a period of more than 48 hours in Criminal Case vide Crime No.102 of 2018 of P.S.Chunchupalli for the offences punishable under Sections 498-A, 307, 506 of IPC and Sections 3 and 4 of Dowry Prohibition Act, even though the petitioner has not committed any misconduct in discharge of his official duties and though he made representations on 04/04/2019 and on 25/06/2019 respectively seeking to cancel his suspension order and to reinstate him into service as illegal, arbitrary, discriminatory, violation of principles of natural justice and subversive of Articles 14 16 and 21 of the Constitution of India consequently the Honorable Court may be pleased to set aside the impugned Order passed by the 2nd Respondent vide impugned proceedings No Rc No 1751/ 2019/ Disc dated 12032019.....”

Heard Mr.R.Nageswara Rao, learned counsel for the petitioner and the learned Government Pleader for Services-II.

It has been contended by the petitioner that he is working as a Junior Inspector with the respondents and he was placed under

suspension vide proceedings dated 12.03.2019 on the ground that he was detained by the police for more than forty eight hours in connection with Cr.No.102 of 2018 for the offences punishable under Sections 307, 498-A and 506 IPC and Sections 3 and 4 of the Dowry Prohibition Act. The petitioner submits that he has submitted representations to the respondents on 04.04.2019 and 25.06.2019 requesting to review the suspension order.

The grievance of the petitioner is that though more than six months have elapsed, the respondents are not reviewing the suspension order.

Learned counsel for the petitioner submits that the respondents cannot place the petitioner under suspension eternally and the respondents are bound to review the suspension order in terms of G.O.Ms.No.86 dated 08.03.1994. Therefore, appropriate orders be passed in the writ petition directing the respondents to review the suspension order and pass appropriate orders in terms of G.O.Ms.No.86 dated 08.03.1994.

Learned Government Pleader appearing for the respondents has contended that the case of the petitioner will be reviewed and appropriate orders would be passed in terms of G.O.Ms.No.86 dated 08.03.1994.

This Court, having considered the rival submissions made by the learned counsel for the respective parties, is of the considered view that this writ petition can be disposed of directing the respondents to review the suspension order dated 12.03.2019 and pass appropriate orders in terms of G.O.Ms.No.86 dated 08.03.1994

within a period of eight weeks from the date of receipt of a copy of this order.

With the above observations, the writ petition is disposed of.
No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVIL, J

06-11-2019
Prv

