

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.27990 of 2019

ORDER

This Writ Petition is filed seeking the following relief:

“to issue an appropriate writ, order or direction preferably one in the nature of Writ of Mandamus and to declare the action of the respondents are keeping the petitioner under suspension *vide* impugned proceedings No.H.R/FA/775/2019, dated 23.09.2019 of the 2nd respondent without any application of mind, the said action of the respondents is highly illegal, arbitrary, unreasonable, discriminatory and also in violation of Articles 14, 16 and 21 of the Constitution of India and declare the same as bad in law and set aside the same and consequently direct the respondents to reinstate the petitioner into service as a Filed Assistant at Panjugula Gram Panchayat, Kalvakurthi Mandal, Nagarkurnool District, immediately with all consequential benefits and to pass such other order or orders as this Hon'ble Court may deems fit just and proper in the circumstances of the case.”

Heard Sri C.Raja Shekar Reddy, learned counsel appearing for the petitioner, learned Government Pleader for Panchayat Raj and Rural Development appearing for respondents 1 and 3, Smt R.Padma Rekha, learned counsel appearing for respondent No.2 and Sri G.Narender Reddy, learned Standing Counsel appearing for respondent No.4.

It is the case of the petitioner that he is working as a Field Assistant at Panjugula Gram Panchayat, Kalvakurthy Mandal, Nagarkurnool District, since 2006. While so, he was placed under suspension *vide* proceedings dated 23.09.2019 on the ground of misappropriation of funds. In pursuance of the same, the petitioner submitted his explanation on 02.10.2019 requesting the respondents to drop the charges levelled against him and to reinstate him into service. But, so far, no action has been taken.

Learned counsel appearing for the petitioner contended that the allegation levelled against the petitioner is that he has accepted money from seven beneficiaries, but, as those seven beneficiaries have deposed that he has not demanded the amount from them, appropriate orders be passed in the writ petition directing the respondents to consider the explanation submitted by the petitioner on 02.10.2019 and pass appropriate orders in accordance with law.

Learned Standing Counsel appearing for the 2nd respondent contended that the case of the petitioner would be considered and after concluding the enquiry, appropriate orders would be passed in accordance with law by duly taking into consideration the explanation submitted by the petitioner.

Having considered the rival submissions made by the learned counsel on either side, this Court is of the view that this Writ Petition can be disposed of directing the respondents to conclude the enquiry at the earliest 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.

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

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

Date: 17.12.2019
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