

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.1004 OF 2020

Date: 20.01.2020

Between:

B.Ramadas s/o. late Bhimla, Aged 49 years,
Working as Forest Beat Officer, Nagaram Beat,
Bayyaram Range, Mahabubabad Division & Circle,
Bhadradri Kothagudem district.

.....Petitioner

and

State of Telangana, rep. by its Special Chief Secretary,
Environment, Forests, Science & Technology Dept.,
Secretariat Buildings, Hyderabad and others.

.....Respondents



The Court made the following:

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ORDER:

Petitioner filed this writ petition aggrieved by the order of the Conservator of Forests, Khammam Circle, dated 15.10.2019, confirming the decision of the appellate authority, imposing punishment of 'reduction of pay to the minimum basic pay till the date of superannuation'.

2. Learned counsel for petitioner submits that several grounds were urged in the appeal filed before the appellate authority, but there is no discussion on any of the grounds urged and, therefore, the order of the appellate authority is not speaking order and not sustainable on that ground alone.

3. Copy of the appeal filed by the petitioner is filed as Ex.P17. On *prima facie* reading of the appeal, it is seen that several contentions were urged on the procedure followed by the disciplinary authority, on the evaluation of evidence and on the delinquency alleged against the petitioner. In the order impugned there is no discussion on any of these aspects, but proceeds to confirm the punishment order based on the remarks furnished by the Forest Divisional Officer. Even those remarks were also not furnished to the petitioner and, therefore, the order is not sustainable on this ground alone.

4. Learned Government Pleader does not dispute the fact that the order does not contain reasons in support of the decision.

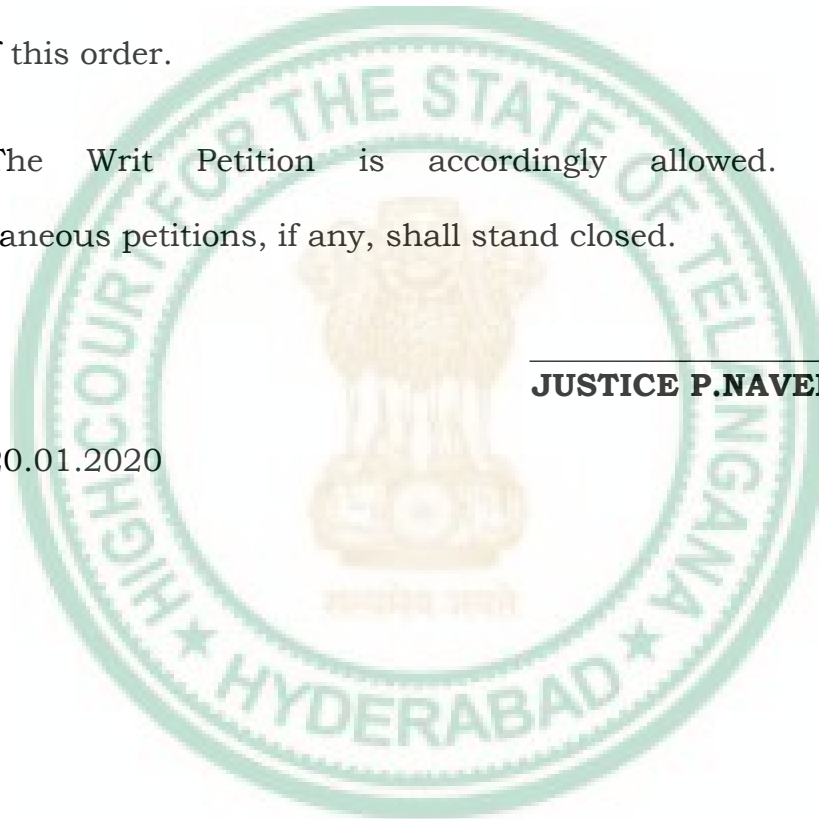
5. The appellate order confirming the disciplinary authority order imposing grave punishment would have evil and civil

consequences, he is required to consider the grounds urged against the orders of the disciplinary authority, but not to fall back on the report of the disciplinary authority and summarily reject the appeal. Therefore the order impugned is set aside on this ground alone and matter is remanded to the Conservator of Forests (3rd respondent) for passing orders afresh, by assigning reasons in support of the decision, on dealing with each of the grounds urged by the petitioner. Decision shall be taken and appropriate orders be passed within a period of four weeks from the date of receipt of copy of this order.

6. The Writ Petition is accordingly allowed. Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE P.NAVEEN RAO

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