APHC010534562026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3460]**
(Special Original Jurisdiction)

THURSDAY, THE 8th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 29190/2026

Between:

Shaik Khaja Mohiddin **...PETITIONER**

AND

The State Of Andhra Pradesh and Others **...RESPONDENT(S)**

Counsel for the Petitioner:

1. HARINATH REDDY SOMAGUTTA

Counsel for the Respondent(S):

1. GP FOR HOME

The Court made the following:

HON'BLE SRI JUSTICE NYAPATHY VIJAY

W.P.No.29190 of 2026

ORDER :

This writ petition is filed to declare the action of the Respondent authorities in initiating parallel disciplinary proceedings dated 18.09.2025 against the Petitioner, pending C.C. No. 54 of 2025 before the Special Judge for Trial of SPE & ACB Cases at Vijayawada, as arbitrary and illegal.

2. The Petitioner was initially appointed as Police Constable in the year 2004 and thereafter, he was promoted as Head Constable in the year 2019. While so, the Anti-Corruption Bureau registered a case against the Petitioner under Section 7 of the Prevention of Corruption (Amendment) Act, 2018, vide FIR No. 04/RCO-ACB-GNT/2020, dated 25.06.2020. The Police, after investigation, filed a charge sheet before the jurisdictional Court, and the same was taken cognizance of by the Special Judge for Trial of SPE & ACB Cases at Vijayawada, and numbered as C.C. No. 54 of 2025.

3. Parallelly, the Respondent authorities initiated disciplinary proceedings dated 18.09.2025 on the same allegations mentioned in the criminal case.

4. Learned counsel for the Petitioner submits that the criminal case and the disciplinary case are with respect to the same incident and that they will cause prejudice to the Petitioner. He placed reliance on the judgment of the Hon'ble Supreme Court in ***M. Paul Anthony v. Bharat Gold Mines Limited***[1].

5. This Court, taking note of the judgment of the Hon'ble Supreme Court in ***Secretary, Lucy Sequeira Trust and Another v. Kailash Ramesh Tandel and Others[2]***, disposed of similar writ petitions with the following directions:

(i) The departmental proceedings initiated against the Petitioner dated 18.09.2025 shall remain stayed for a period of one year from today.

(ii) The learned the Special Judge for SPE & ACB cases, Vijayawada, shall complete the trail in C.C.No.54 of 2025 pending on its file, as expeditiously as possible, preferably within a period of one year considering the fact that the departmental proceedings are stayed, pending disposal of the criminal case.

(iii) The Petitioner shall file a copy of this order before the concerned Court and shall co-operate for expeditious disposal of the criminal case.

(iv) If the trial is not concluded within the period of one year, the departmental proceedings can be proceeded with without reference to this Court.

6. In the present case, the departmental enquiry is an offshoot of the criminal case and the documentary and oral evidence is similar. Therefore, the writ petition is disposed of in terms of the directions in paragraph No.5. No order as to costs.

As a sequel, the miscellaneous petitions if any shall stand dismissed.

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NYAPATHY VIJAY, J

Date: 08.10.2026

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THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 29190/2026

Dt. 08.10.2026

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