

SMT. JUSTICE T. RAJANI
WRIT PETITION No.7601 OF 2019

ORDER:

This writ petition is filed, under Article 226 of the Constitution of India, seeking to declare the action of the 5th respondent in imposing punishment of dismissal against the petitioner, after more than 15 years, vide impugned Memo dated 28.3.2019, as illegal.

2. Heard the counsel for the petitioner and Sri Y.Nagi Reddy, Standing Counsel for APSPDCL appearing for the respondents.

3. The counsel for the petitioner submits that the enquiry initiated against the petitioner is bad since the enquiry officer himself has issued the charge memo though the appointing / disciplinary authority has to issue the charge memo. The Government Pleader does not deny the said fact.

4. Hence, in view of the above, this Court deems it fit to set aside the impugned proceedings dated 28.3.2019. The respondents are, however, at liberty to conduct fresh enquiry against the petitioner in accordance with law.

5. The writ petition, with the above direction, is disposed of, setting aside the impugned proceedings dated 28.3.2019 issued by the 5th respondent. As a sequel, miscellaneous petitions pending consideration if any in the writ petition shall stand closed.

SMT T. RAJANI, J

February 06, 2020.
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