HON'BLE SRI JUSTICE U. DURGA PRASAD RAO

WRIT PETITION No.13418 of 2020

ORDER:

The petitioner prays for writ of mandamus declaring the action of the respondents in not reviewing the suspension order dated 14.10.2019 in terms of G.O.Ms.No.86, dated 08.03.1994, in spite of completion of period of six months after suspension as illegal and arbitrary and for a consequential direction.

2. Heard learned counsel for petitioner, Sri P.Nagendra Reddy and Sri K.Dhanunjaya Reddy, learned standing counsel, representing on behalf of respondents and with their consent, this writ petition is disposed of at the admission stage.

3. The main plank of argument of learned counsel for petitioner is that the petitioner is an Assistant Professor in the respondent University and he was put under suspension w.e.f. 14.10.2019 and enquiry has not yet commenced and though six months have elapsed since the date of suspension, no review has been effected in terms of G.O.Ms.No.86, G.A.D., dated 08.03.1994 and the petitioner made a representation dated 15.07.2020 to the Registrar of the University to consider his case and make review of the suspension, but no action has been taken yet.

4. G.O.Ms.No.86, G.A.D., dated 08.03.1994 states that the order of suspension against the Government servant shall be reviewed at the end of every six months and the appropriate reviewing authority shall

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take a decision regarding continuance or otherwise of the employee concerned under suspension, with reference to the nature of the charges, where delays in finalisation, of enquiry proceedings cannot be attributed to the employee or when there is no interference from the employee in facilitating the enquiry. In that view of the matter, the respondent has to review the suspension of the petitioner and take an appropriate decision.

5. Therefore, this writ petition is disposed of directing the respondent to review the suspension order dated 14.10.2019 of the petitioner and pass an appropriate order in terms of G.O.Ms.No.86, G.A.D., dated 08.03.1994, within a period of six weeks from the date of receipt of a copy of this order and communicate to the petitioner. No costs.

As a sequel, miscellaneous applications pending for consideration, if any, shall stand closed.

U.DURGA PRASAD RAO, J

06.08.2020
Note: issue C.C. by 10.08.2020.
B/o.SS

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