

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY EIGHTH DAY OF FEBRUARY
TWO THOUSAND AND SIX

PRESENT

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 3849 of 2006

Between:

Ch. Narayana Reddy, S/o. Ch. Narsa Reddy
R/o. 1-7-631/2, Ramnagar, Hyderabad.

..... PETITIONER

AND

- 1 The Depot Manager, APSRTC, Hakimpet Depot,
Ranga Reddy District.
- 2 The Enquiry Officer, APSRTC, O/o. Divisional Manager,
Sanathnagar-Division, Kukatpally.

.....RESPONDENTS

THE HONOURABLE SRI JUSTICE R. SUBHASH REDDY

WRIT PETITION NO. 3849 OF 2006

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ORDER:

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The petitioner, who is working as conductor in the Andhra Pradesh State Road Transport Corporation, has filed this Writ Petition, questioning the notice dated 6-2-2006 issued in proceedings No.02/95(20)/2005-HPT, to show cause as to why he should not be removed from service.

After initiation of disciplinary proceedings, enquiry officer was appointed and

on submission of enquiry report, the notice impugned herein has been issued.

It is submitted by the learned Counsel for the petitioner, that the petitioner has submitted representation pointing out defects in the enquiry and without considering the same, show cause notice is issued.

Once enquiry is initiated as per the procedure contemplated under the disciplinary rules, it is open for the respondents to proceed further, till passing of final orders. Merely because representation filed by the petitioner is not considered, the same is no ground to stall the proceedings at this stage. If the petitioner is having any objection, he can as well raise the same in the explanation to be submitted to the show cause notice, but the same is no ground to question the same in a petition filed under Article 226 of the Constitution of India. If the petitioner has not filed his explanation, he is at liberty to file explanation within four weeks from today. On filing of such an explanation, the respondents are directed to consider and pass appropriate orders.

Subject to the above direction, the Writ Petition is disposed of at the admission stage.

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JUSTICE R. SUBHASH REDDY

DATED: 28-02-2006.

Msnr.