

IN THE HIGH COURT OF TELANGANA AT HYDERABAD

W.P. No. 8414 of 2011

Between:

R. Srinivasa Rao

... Petitioner

And

**The Chief General Manager (HRD),
AP TRANSCO, Khairatabad, Hyderabad & Others**

... Respondents

JUDGMENT PRONOUNCED ON: 05.06.2023

THE HON'BLE MRS JUSTICE SUREPALLI NANDA

- 1. Whether Reporters of Local newspapers : Yes
may be allowed to see the Judgment?**
- 2. Whether the copies of judgment may be
marked to Law Reporters/Journals? : Yes**
- 3. Whether Their Lordships wish to
see the fair copy of the Judgment? : Yes**

SUREPALLI NANDA, J

THE HON'BLE MRS JUSTICE SUREPALLI NANDA

W.P. No. 8414 of 2011

% 05.06.2023

Between:

R. Srinivasa Rao

..... Petitioner

And

**\$ The Chief General Manager (HRD),
AP TRANSCO, Khairatabad, Hyderabad & Others**

... Respondents

< Gist:

> Head Note:

! Counsel for the Petitioner

: Mr M.Narsimhloo

^ Standing Counsel for Respondents

: Mr. R. Vinod Reddy

? Cases Referred:

- 1. (1973) 1 SLR 896**
- 2. (1980) 4 SCC 597**
- 3. (2017) 16 SCC 186**
- 4. (2021) 2 SCC 209**
- 5. (2012) 3 SCC 178**

THE HON'BLE MRS JUSTICE SUREPALLI NANDA**W.P. No. 8414 of 2011****ORDER:**

Heard Sri M.Narsimhloo, learned counsel for the petitioner and Sri R.Vinod Reddy, learned standing counsel for APTRANSCO appearing for respondents.

2. The petitioner filed this writ petition seeking Writ of Mandamus declaring the inaction on the part of the respondents/AP Transco in not issuing reposting orders to the petitioner in spite of his joining A.P. Transco on 24.01.2002 and several representations and oral requests made by the petitioner to the A.P. Transco, Hyderabad is illegal, arbitrary and violation of principles of natural justice and consequently, declare the action of respondents 3 and 4 of APCPDCL, Hyderabad as irrelevant, arbitrary and without notice to the petitioner and without any jurisdiction and consequently, set aside the Final order of APCPDCL, Hyderabad imposing the punishment of removal from service of the petitioner w.e.f. 29.12.2001 issued vide Memo No.CGM (HRD)/GM(Admn)/AS (per)/PO(DC-11)489-1/03-10, dated 12.05.2008 and further direct respondent No.1 – A.P. Transco to issue the reposting

orders to the petitioner to join in A.P. Transco pending regularization of service and other consequential benefits in the interest of justice and equity in law.

3. The case of the petitioner, in brief, is as follows:

a) The petitioner was appointed as an Assistant Engineer/Telecom in the then APSE Board in the month of March, 1994 and probation period of years was declared on 16.03.1996 completion of period of two years as on 16.03.1996 vide Memo No.GM(P)/DS(P)/PO(Admn.IV)/1/382/98, dated 23.03.2001 and the same was communicated to him on 16.04.2001 while the petitioner was working as Assistant Engineer, Telecom at RTS-B, Ramagundam, A.P.

b) The 5th respondent surrendered the petitioner to the 1st respondent vide letter dated 28.12.2001 on the pretext of having surplus staff at RTS-B Station, Ramagundam and relieved the petitioner from duty on 29.12.2001. After handing over the charge at RTS B-Station, Ramagundam on 31.12.2001, the petitioner submitted joining report on 24.01.2002 to the 1st respondent for issue of reposting orders. As no posting orders were issued to the petitioner, he

approached the 1st respondent and submitted representations dated 04.02.2002, 08.03.2002, 14.04.2002, 14.05.2002, 25.06.2002, 31.07.2002 respectively.

c) The petitioner came to know that the A.P.Transco allotted certain employees to various other distribution companies and that the petitioner was allotted to APCPDCL, Hyderabad vide order dated 13.08.2002. Therefore, the petitioner approached the 1st respondent on 08.09.2002 and submitted letters dated 12.10.2002, 01.12.2002, 02.02.2003, 25.04.2003, 22.09.2003, 21.03.2004, 15.06.2004, 15.10.2004, 15.01.2005, 23.05.2005, 03.09.2005, 20.11.2005, 26.09.2006, 24.10.2006, 12.12.2006 and on 26.01.2007, to relieve the petitioner from AP Transco to enable the petitioner to join in APCPDCL, Hyderabad with proper relief.

d) In spite of several representations, the AP Transco neither issued reporting orders nor relieving orders to the petitioner to join in APCPDCL, the petitioner approached the 1st respondent personally and requested for the same. The 1st respondent replied that the reposting orders have already been issued by the AP Transco, but the petitioner has not

reported for duty or joined in the AP Transco, Hyderabad. When the petitioner requested for copy of reposting orders, the 1st respondent replied that they have to search for the same and that they would intimate the same later.

e) The petitioner applied for reposting orders through RTI Act. The 1st respondent, vide letter dated 06.12.2010 furnished the following information:

"It is to inform that the information pertaining to the reposting orders, if any, issued by APTRANSCO in respect of Sri R.Srinivasa Rao AE/Telecom are not traceable in this office after thorough verification of the records available in the section as well as in the record section, as the files pertaining to Board proceedings in routine series Letters, Memorandum endorsements telegram and tour programmes have been destroyed at the end of five years from the year which they relate. This issue of posting orders etc., pertains to Board proceedings in Memorandum."

f) As there was no information about the reposting orders, the petitioner issued legal notice on 17.12.2010 to the 1st respondent, but there was no response. Therefore, the petitioner filed W.P.No.2443 of 2011 to direct the 1st respondent to issue reposting orders. The AP Transco communicated a letter dated 21.01.2011 to the petitioner

enclosing orders dated 12.05.2008 of APCPDCL, Hyderabad removing the petitioner from service w.e.f. 29.12.2001.

g) As per removal orders, the petitioner was allotted to APCPDCL during option process on final absorption. The DE/Enquiries/APCPDCL was appointed as enquiry officer to enquire into gross negligence and dereliction of duty and misbehaviour while working at RTS and for not taking memo dated 18.01.2002 of AP GENCO. Hence, this writ petition is filed.

4. The case of the Respondents 1 and 2, in brief, as per the counter filed is as follows:

a) The 1st and 2nd respondents submitted that AP TRANSCO is not necessary party since it has neither issued any posting orders nor any other order affecting the service of the petitioner including orders dated 12.05.2008.

b) During re-organization of APSEB, the petitioner was allotted to APCPDCL, (Distribution Company) and later APCPDCL reported to have issued show cause notice and appointed enquiry officer to enquire into the charges against the petitioner. The said charges were proved against the petitioner and initially, orders were passed imposing the

punishment of removal from service and the same was published in the News Papers also. Vide Memo dt. 12.05.2008 APCPDCL issued final orders imposing the punishment of removal from service to the petitioner.

c) Petitioner was surrendered to AP Transco as the services of the petitioner are not required in AP Genco due to petitioner's misbehaviour and petitioner was relieved from duties on 29.12.2001 at RTS-B, Station of A.P.Genco.

d) As per advice of AP Tranco, dated 15.01.2001 reposting orders were issued by AP Genco posting the petitioner to the control of CE/O&M/VTPS. Further vide Memo No.GM(A)/DS(E)/AS(DC)/398/D2/2002-08, dt. 09.07.2002 directed the petitioner to join duty immediately, failing which disciplinary action would be taken for disobeying the orders issued in Memo dated 09.07.2002 and yet, the petitioner did not join into duty.

e) Legal Notice dt. 21.01.2011 was issued to the AP Transco on behalf of the petitioner requesting to issue reposting orders to the petitioner, pending regularisation of the period from 24.01.2002.

f) Vide reply to legal notice dt. 21.01.2011, it has been informed to the petitioner that petitioner was allotted to APCPDCL during option process on final absorption. Hence, question of issuing reposting orders by APTRANSCO does not arise. On the final absorption to APCPDCL posting orders were issued to the Petitioner, posting the petitioner to the control of SE/Scada, but the petitioner did not report to the duty and hence the issue of reposting orders by AP Transco do not arise.

g) Petitioner challenged the non-issuing of the reposting order issued by AP Transco by filing W.P.No.2443 of 2011 and the Court vide orders dated 08.12.2011 held that the claim became redundant in view of the order dated 12.05.2008 issued by APCPDCL and hence, the conclusion rejecting the claim of the petitioner on the alleged issue is already there on record. Therefore, doctrine of *res judicata* comes into operation and the said claim cannot be taken for adjudication once again. The Enquiry Officer has issued charge sheet to the petitioner and the said charge sheet was sent to his residential address, but the same was returned as no such person was residing in the given address. Thereafter,

press notification was also issued in Deccan Chronicle on 09.12.2003 directing the petitioner to be present before EO within 15 days from the date of notification. Sufficient opportunity was given to the petitioner, but he failed to do so. Final orders were issued by APCPDCL vide Memo dt. 12.05.2002 imposing the punishment of removal from service w.e.f. 29.12.2001 and the same was published in certain daily newspapers on 18.12.2007. Hence, the writ petition is devoid of merits and is liable to be dismissed.

5. The counter affidavit filed by respondents 3 and 4 is as follows:

a) AE/Telecom was surrendered to AP Transco vide order dated 28.12.2001 as his services were not required in AP GENCO. The AP Transco requested to initiate disciplinary action against the petitioner for his misbehaviour, which is not a solution to surrender or transfer vide order dated 15.01.2002 and as per the Divisional Engineer memo dated 29.12.2001, the petitioner was relieved from duties w.e.f. 29.12.2001 AN at RTS B station of AP GENCO without instructions from the Headquarters and consequently, pending disciplinary action for the irregularities committed by the

petitioner, petitioner was posted to the AP GENCO vide memo dated 10.05.2002.

b) The petitioner submitted explanation dated 03.04.2002 denying the charges framed against him in Memo dt. 18.01.2002 and did not join duty at the place of posting, which amounts to wilful disobedience in obeying the orders of the authority. Meanwhile, when the petitioner was allotted to APCPDCL in option process and posted under the control of the 5th respondent vide memo dated 17.08.2002, he did not join duty or applied for leave.

c) As the absence period of the petitioner exceeded one year four months i.e. from 29.12.2001 to 21.04.2003, the Divisional Engineer/Enquiries was appointed as Enquiry Officer to enquire into gross negligence and dereliction of duty. As per Regulation 28(3) of APSEB Service Regulations Part I – any employee of the Board, who remained unauthorizedly absent from duty for a continuous period of one year shall be deemed to be resigned from service from the date of absence and shall automatically cease to be in Board Employment. For imposing major penalty an Enquiry Officer may be appointed for conducting departmental Enquiry.

d) Accordingly, the Enquiry Officer was appointed, and the enquiry officer conducted enquiry and noticed that the petitioner is not found at the given address. As such issued show cause notice dated 29.10.2004 proposing punishment of removal from service and the same was furnished to the address given by the petitioner, but the same was returned with an endorsement 'now shifted' and that the same was published in News Papers Andhra Jyothi, Siasat and Hindu on 18.12.2007 and subsequently, final orders were issued on 12.05.2008. Therefore, the writ petition is liable to be dismissed.

6. The Director (HR&IR), TSSPDCL, Hyderabad filed additional counter affidavit contending that as the proceedings referred in the counter affidavit filed earlier, were not filed and hence, the said proceedings were filed.

7. The petitioner filed reply affidavit reiterating the contentions raised in the writ affidavit.

PERUSED THE RECORD.

8. The relevant portion in Para 12 of Additional Counter Affidavit, reads as under:

"In reply to Para 21 & 22, it is submitted that the contention of the petitioner that the orders passed by APCPDCL removing him from service w.e.f 29.12.01 without notice is not correct. Since the AE was allotted to APCPDCL during optional process, APCPDCL appointed Divisional Engineer/Enquiries as Enquiry Officer to enquire into gross negligence and dereliction of duty against the petitioner and mis-behavior while working at RTS, for not taking the memo dt. 18.01.02 of AP Genco and for his unauthorized absence from duty w.e.f 29.12.01. During the enquiry process, the Enquiry Officer has issued a charge sheet to the petitioner and the same was sent to his residential address whereas the same was returned by postal authorities stating that no such person is residing at the given address. Therefore press notification was issued in Deccan Chronicle dt. 09.12.03 directing the petitioner to present himself before the Enquiry Officer within (15) days from the date of notification. The Charge sheet was again sent to his residential address but the same was returned by postal authorities stating that the "addressee is not found". As such the Enquiry Officer exhausted all the avenues of disciplinary proceedings, but the charged officer did not respond for any of the communications. Therefore it is construed

that he has got no defense to offer and also not interested in enquiry proceedings. Hence the Enquiry officer concluded that the charged officer has no defense on the allegations and ex-parte decision was given that allegations levelled against him are held proved. Hence show cause notice was issued to the petitioner proposing the punishment of "Removal from service" w.e.f 29.12.01 vide memo no. DS(Per)/AS(Per)/PO(DC)/489-C1/03-6, dt. 29.10.04 since Reg.28(3) of APSEB Service Regulations Part.I as adopted by APCPDCL was withdrawn as per the decision of Hon'ble High Court. The same was published in the daily News Papers viz, the Hindu, Andhra Jyothi, Siasat on 18.12.07. However no explanation was submitted by him despite paper notification after a lapse of above 5 months. **The APCPDCL therefore issued final orders vide memo no. CGM(HRD)/GM(Adm)/ AS(Per)/ PO(DC.II)/489-C1/03-10, dt. 12.05.08 by confirming the above punishment and communicated to his residential address through courier. But the courier authorities have returned the same with remarks "Address not found". The same was published in News Paper Siasat, Andhra Jyothi, Deccan Chronicle on 02.06.08.**

9. The order Memo No. CGM (HRD)/GM(Admn)/AS (per)/PO(DC-11)489-1/03-10, dated 12.05.2008 passed by the 2nd respondent, reads as under:

"In the reference 1st cited, the Divisional Engineer/Enquiries/ CPDCL was appointed as Enquiry Officer to enquire into gross negligence and dereliction of duty against Sri R.Srinivasa Rao, AE and misbehavior while working at RTS and for not taking the Memo.No.GM(A)/DS(P)/ AS(P)/B21/588/02, Dt.18.1.02 sent through J.P.A Sri Raj Kumar on 26.1.02 and for unauthorized absence of the delinquent officer from 28.12.01 AN till to date.

2. The Enquiry Officer has issued a charge sheet to Sri R.Srinivasa Rao, AE/Telecom vide reference 2nd cited and sent to residential address of Sri R.Srinivasa Rao as communicated in the Memo 3rd cited. But the same was returned by postal authorities stating that "No such person is residing at the given address". Press Notification was issued in Deccan Chronicle, dt.9.12.03, directing Sri R.Srinivasa Rao, AB to present himself before the Enquiry Officer within 15 days from the date of publication of notification to receive charge sheet and submit his explanation and attend the oral enquiry as directed by Enquiry Officer, lest it would be construed that he has got no defence to offer on the charges of gross negligence, dereliction of duty, misbehavior and unauthorised absence and enquiry will be finalized ex-parte on the basis of material facts available on records. Charge sheet was again sent to his residential address as communicated in the Memo dt. 12.4.04. But the

same was returned by postal authorities stating the "Addressee not found". Sri R.Srinivasa Rao, AD/Telecom has not responded to the paper publication nor presented himself before the Enquiry Officer to proceed further. Hence, it is construed that the delinquent has got no defence to and unauthorised absence and the enquiry has been finalized ex-parte on the basis on material facts available on record.

3. The Enquiry Officer after conducting the ex-parte enquiry has submitted his enquiry report vide reference 4 cited and held that the charges of negligence and unauthorized absence against Sri R.Srinivasa Rao are proved.

4. The Enquiry report submitted by the Enquiry Officer has been Carefully examined with reference to the charges framed against the individual and the findings of the Enquiry Officer thereon. While accepting the findings of the Enquiry Officer the undersigned observed that the unauthorized absence of Sri R.Srinivasa Rao, AE/Telecom has exceeded more than one year (i.e., absent from 29.12.01) which attracts Regulation 6(XLVII) of APSEB discipline and appeal as adopted by APCPDCL. The undersigned has come to the provisional conclusion to impose the punishment of "Removal from Service" with effect from 29.12.01 ie from the date of unauthorized absence from duty by invoking Regulation 6(XLVII) of APSEB discipline and appeal Regulation as adopted by

APCPDCL read with Co.O.CGM (IR&L) Ms.No.548, Dt:-3-1-07.

5. Accordingly, a show cause notice was published in daily New papers i.e., The Hindu, Andhra Jyothi and Siasat Dt:-18-12-07 vide reference 8th cited directing Sri R.Srinivasa Rao, AE/Telecom to show cause within 15 days from the date of publication of the notice as to why the punishment proposed in para 4 above should not be imposed on him for the charges held proved against him. He is also informed that if his explanation is not received within the stipulated time, it will be construed that he has no explanation to offer and further action as deemed fit will be taken against him based on that assumption and the material available on record. Sri.R.Srinivasa Rao, AE/Telecom has not submitted his explanation even after a lapse of more than 3 months.

6. The undersigned has carefully examined the entire case with reference to the material available on record and it has been noticed that Sri R.Srinivasa Rao, AE/Telecom has no explanation to offer and decided to confirm the punishment proposed to him in the show cause notice i.e., imposing the punishment of "Removal from Service" and ceased to be in APCPDCL employment with effect from 29.12.01 by invoking Regulation 6(XLVII) of APSEB discipline and appeal as adopted by APCPDCL read with C.O.O.CGM (IR&L) Ms.No.548, Dt-3-1-07.

7. Accordingly, it is ordered that Sri R. Srinivasa Rao, AE/Telecom is "Removed from service" and ceased to be in APCPDCL Employment with effect from 29.12.01.

DISCUSSION AND CONCLUSION

10. A bare perusal of the order impugned vide Memo CGM (HRD)/GM(Admn)/AS (per)/PO(DC-11)489-1/03-10, dated 12.05.2008, in particular para 3 clearly indicates that the Enquiry Officer conducted an exparte enquiry and submitted his enquiry report on 17.08.2004 and held the charges on negligence and unauthorised absence against Sri R.Srinivasa Rao, AE/Telecom as proved. A bare perusal of para 5 of the order impugned dated 12.05.2008 passed by the 2nd respondent (referred to and extracted above) further indicates that an exparte decision was given after the show cause notice was published in daily newspaper i.e. Hindu, Andhra Jyothi, and Siasat dated 18.12.2007 directing the petitioner to show cause within 15 days from the date of publication of notice as to why the punishment proposed should not be imposed on the

petitioner. But however, no explanation was furnished by the petitioner even after lapse of more than three months then the order impugned had been passed removing the petitioner from service observing that the petitioner ceased to be APCPDCL employment with effect from 29.12.2001. This Court takes note of the fact that primarily that it is an ex parte order and consequently, the 2nd respondent passed the impugned order of removal from service on the ground that the petitioner had no explanation to offer and decided to confirm the punishment proposed to him in the show cause notice i.e. imposing punishment of removal from service, this Court opines that the order impugned is not an order passed on merits. A bare perusal of the order impugned dated 12.05.2008 clearly indicates that the petitioner is removed from service and ceased to be in APCPDCL employment w.e.f. 29.12.2001.

11. The Judgment of the Apex Court in Commissioner of Income Tax v Vatika Township dated 15.09.2014 reported in (2015) 1 SCC 1, this court, speaking

through a Constitution Bench, observed as follows on the point of law having a retrospective operation :

"31. Of the various rules guiding how a legislation has to be interpreted, one established rule is that unless a contrary intention appears, a legislation is presumed not to be intended to have a retrospective operation. **The idea behind the rule is that a current law should govern current activities. Law passed today cannot apply to the events of the past. If we do something today, we do it keeping in view the law of today and in force and not (2015) 1 SCC 1 tomorrow's backward adjustment of it. Our belief in the nature of the law is founded on the bed rock that every human being is entitled to arrange his affairs by relying on the existing law and should not find that his plans have been retrospectively upset. This principle of law is known as *lex prospicit non respicit* : law looks forward not backward.** As was observed in Phillips vs. Eyre[3], a retrospective legislation is contrary to the general principle that legislation by which the conduct of mankind is to be regulated when introduced for the first time to deal with future acts ought not to change the character of past transactions carried on upon the faith of the then existing law.

32. **The obvious basis of the principle against retrospectivity is the principle of 'fairness', which**

must be the basis of every legal rule as was observed in the decision reported in L'Office Cherifien des Phosphates v. Yamashita-Shinnihon Steamship Co.Ltd[4]. Thus, legislations which modified accrued rights or which impose obligations or impose new duties or attach a new disability have to be treated as prospective unless the legislative intent is clearly to give the enactment a retrospective effect; unless the legislation is for purpose of supplying an obvious omission in a former legislation or to explain a former legislation. We need not note the cornucopia of case law available on the subject because aforesaid legal position clearly emerges from the various decisions and this legal position was conceded by the counsel for the parties. In any case, we shall refer to few judgments containing this dicta, a little later."

12. There is no finding arrived at by the disciplinary authority on merits whether the absence of the petitioner is wilful or due to compelling circumstances. Hence entire disciplinary proceedings stand vitiated as per the law laid down by the Apex Court in this regard. **The judgment of the Apex Court reported in (2012) 3 SCC 178 between Krushnakant B.Parmar v Union of India and another.** Paras 16, 19 and 25 reads as under:

"16. The question whether 'unauthorised absence from duty' amounts to failure of devotion to duty or behaviour unbecoming of a Government servant cannot be decided without deciding the question whether absence is willful or because of compelling circumstances.

19. In a Departmental proceeding, if allegation of unauthorised absence from duty is made, the disciplinary authority is required to prove that the absence is wilful, in absence of such finding, the absence will not amount to misconduct.

25. In the result, the appeal is allowed. The impugned orders of dismissal passed by disciplinary authority, affirmed by the Appellate Authority; Central Administrative Tribunal and High Court are set aside. The appellant stands reinstated. Taking into consideration the fact that the Charged Officer has suffered a lot since the proceeding was drawn in 1996 for absence from duty for a certain period, we are not remitting the proceeding to the disciplinary authority for any further action. Further, keeping in view the fact that the appellant has not worked for a long time we direct that the appellant be paid 50% of the back wages but there shall be no order as to costs.

13. This Court opines that the order impugned fails on account of being in clear violation of principles of natural justice since as borne on record it is an exparte enquiry made against the petitioner, without the petitioner furnishing explanation to the show cause notice published in daily newspaper i.e. Hindu, Andhra Jyothi and Siasat dated 18.12.2007 vide memo dated 28.11.2007. This Court opines that in the absence of express statutory violations, delegated legislation in the form of rules or regulations cannot operate retrospectively, and the 2nd respondent herein cannot apply any rule and pass order impugned dated 12.05.2008 which can operate with retrospective effect.

14. This Court opines that the person or authority exercising supporting legislation functions cannot make a rule, regulation or bye law which can operate with retrospective effect. The said principle has been affirmed in many decisions such as *Hukumchand v Union of India* reported in 1973(1) SLR 896, *Regional Transport Officer v Associated Transport Madras*

reported in (1980) 4 SCC 597 and Federation of Indian Mineral Industries v Union of India reported in (2017) 16 SCC 186 and Union of India v G.S.Chanta Rice Mills reported in 2021(2) SCC 209. Taking into consideration the law laid down by the Apex Court in various judgments referred to and extracted above and also the view taken by the Apex Court in Judgment reported in 2012 (3) SCC Page 178 in Krushnakant B. Parmar vs. Union of India on the point that in the present case also there has been no finding on merits by the Respondent Authority whether the absence of the petitioner is wilful or due to compelling circumstances, therefore, the order impugned is liable to be set aside.

15. Accordingly, the writ petition is allowed setting the impugned Memo No. CGM (HRD)/GM(Admn)/AS (per)/PO(DC-11)489-1/03-10, dated 12.05.2008 and the matter is remitted to the 2nd respondent for completion of disciplinary proceedings in accordance to law from the stage from which it stood vitiated i.e. supply of enquiry report and to proceed in the disciplinary proceedings since admittedly as borne on

record, it is an exparte enquiry conducted behind the back of the petitioner as referred to at para 3 of the impugned order dated 12.05.2008. The petitioner suddenly suffered serious prejudice and therefore, needs to be reinstated forthwith. This Court, however, makes it clear that the order of reinstatement for completion of enquiry does not confer any benefit to the petitioner beyond his date of superannuation. The 1st respondent is further directed to consider the case of the petitioner in accordance to law to issue reposting orders to the petitioner to join duty in TS Transco within a period of four weeks from the date of receipt of copy of this order duly considering the various representations addressed by the petitioner in this regard and communicate the decision to the petitioner within a period of four weeks thereafter. However, it is observed that it is open for the respondents to conduct fresh enquiry against the petitioner in accordance with law from the stage of furnishing report in conformity with the principles of natural justice. The respondents

shall conclude the said enquiry within a reasonable period. However, there shall be no order as to costs.

Miscellaneous petitions, if any, pending shall stand dismissed.

SUREPALLI NANDA, J

Date: 05.06.2023

Note: L.R. copy to be marked
b/o
kvrn