IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)
THURSDAY, THE FIRST DAY OF OCTOBER,
TWO THOUSAND AND TWENTY
:PRESENT:
THE HONOURABLE THE CHIEF JUSTICE SRI JITENDRA KUMAR MAHESHWARI
WRIT PETITION NO: 6042 OF 2020

Between:

M.V. Visweswara Rao, S/o. M.V. Raghvullu, ... **Petitioner**

AND

1. The Managing Director/Chief Executive Officer,, Indian Overseas Bank, 763, Anna Salai, Chennai.600002
2. The General Manager, HRMD, Indian Overseas Bank, 763, Anna Salai, Chennai.600002
3. The Assistant General Manager/Disciplinary Authority,, Indian Overseas Bank, Regional Office, Srinithya Complex, Rama Talkies Road, Visakhapatnam 530016, Andhra Pradesh.
4. Sri G.V.Ramana,, Chief Manager/Enquiry Officer, Indian Overseas Bank, Regional Office, Srinithya Complex, Rama Talkies Road, Visakhapatnam 530016, Andhra Pradesh.
5. Sri K. Srikanth Chakravarthi,, Senior Manager, Indian Overseas Bank/Presenting Officer, Regional Office, Srinithya Complex, Rama Talkies Road, Visakhapatnam 530016, Andhra Pradesh
6. Sri Guruvinder Singh Bhatia, , Chief Manager, Indian Overseas Bank, Kakinada Branch, Kakinda, East Godavari District. Andhra Pradesh.

.... **Respondents**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an order or orders more particularly one in the Nature of Writ of Mandamus declaring that the Charge Sheet issued on 15.4.2019 is vague and contrary to the Enquiry Rules and the enquiry conducted and the Enquiry Report submitted to the Disciplinary Authority which was not supplied to the petitioner as illegal and the Show Cause Notice for punishment of dismissal from service without notice dt 25.2.2020 of the Disciplinary authority i.e. the 3rd respondent are illegal, arbitrary, against principles of natural justice, against Article 14, 16 and 21 of the Constitution of India besides being opposed to the Judgments of the Hon'ble Apex Court in Kuldeep Singh Vs Commissioner of Delhi Police and also ECIL Vs. Karunakar and hold that the impugned Show Cause Notice dt. 25.2.2020 issued by the 3rd respondent in DODA-R1/2019-20 dtL25,2,2020 is null and void as the same is against the principles of natural justice and quash the same along with the Charge Sheet dt. 15.4.2019 issued by the 3rd respondent by holding that the Enquiry Report said to been submitted to the Disciplinary Authority by the 4th respondent as perverse and quash the same;

IA NO: 1 OF 2020:

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the impugned proceedings of punishment issued by the 3rd respondent in DODA-R1/2019-20, dt.25.2.2020, pending disposal of WP 6042 of 2020, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the order of the High Court dated 06-03-2020 & 23-03-2020 and upon hearing the arguments of Sri Y V Satyanarayana Advocate for the Petitioner, the Court made the following.

ORDER:

(Through Video Conferencing)

"Heard learned counsel for the parties

Interim order passed earlier shall remain in operation until further orders.

Immediately on resumption of physical hearing, the case be listed for further orders."

Sd/- B. NARSING RAO
ASSISTANT REGISTRAR

//TRUE COPY//

To,

For ASSISTANT REGISTRAR

1. One CC to Sri. Y V Satyanarayana Advocate [OPUC]
2. One spare copy

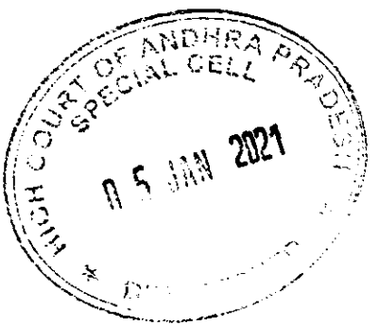
PR

HIGH COURT

HCJ

DATED:01/10/2020

ORDER

WP.No.6042 of 2020

INTERIM ORDER IS EXTENDED