

HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

Writ Petition Nos.5728, 5729, 5745, 5767 and 5772 of 2025

PROCEEDING SHEET

Sl. No	DATE	ORDER	OFFICE NOTE
03.	09.04.2025	<u>CGR,J</u> Learned Government Pleader for Services-I takes notice for respondents. The petitioner(s) along with other staff, who were attending to duties at Border Check Post, Pondugula, Dachepalli Mandal, Guntur District have been proceeded with departmental enquiry based on the surprise check conducted by Anti-Corruption Bureau, who alleged to have found unaccounted cash of Rs.20,500. The enquiry officer, who conducted enquiry, by orders dated __.08.2022 after detailed examination of the articles of charge, found that none of the charges were found to be proved. He went further to the extent of finding that none of the persons who alleged to have tendered bribe amount have come forward to speak about the said aspect or the statements alleged to have been recorded from the lorry drivers who spoke about the said incident were made available. However, Government in exercise of powers 22(2) APCS (CCA) Rules 1991, issued memo dated 19.03.2023 disagreeing with findings of enquiry officer. It is stated that though the prosecution has not established the unaccounted cash amounts were on account of bribe,	

		presumption came to be drawn to be so and further fixed the onus of disproving that the said amounts amounted to bribe on charged officers and proceeded to impose major penalty of withholding 3 annual grade increments by impugned proceedings vide G.O.Rt.No.689, dated 27.09.2024. <i>Prima faice</i>, this Court finds that the reasoning given by first respondent both in disagreeing with the findings of enquiry officer and also imposing penalty are mere surmises and conjunctures. Learned Assistant Government Pleader has placed on record the written instructions, tried to justify the order passed by the first respondent. Matter requires consideration. In view of the above, the impugned G.O.Rt.No.689, dated 27.09.2024 issued by the 1st respondent shall stand suspended pending further orders. Let counter be filed in four (04) weeks, Reply if any in two (02) weeks thereafter. List the matter after eight (08) weeks along with W.P.Nos.5729, 5745, 5767 and 5772 of 2025. _____ CGR,J sj	
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