



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3457]

THURSDAY, THE NINETEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 11331/2013

Between:

1.B.NAGESWARA RAO,, S/O. B.DUBBANNA, AGED ABOUT 32
YEARS, FIELD ASSISTANT, IBRAHIMPURAM, NANDAVARAM
MANDAL, KURNOOL DISTRICT.

...PETITIONER

AND

1.THE DISTRICT COLLECTOR, M.G.NATIONAL RURAL
EMPLOYMENT GUARANTEE SCHEME, KURNOOL, KURNOOL
DISTRICT.

2.THE PROJECT DIRECTOR, M.G. NATIONAL RURAL EMPLOYMENT
GUARANTEE SCHEME, KURNOOL, KURNOOL DISTRICT.

3.THE MANDAL PRAJA PARISHAD DEVELOPMENT OFFICERCUM,
PROGRAMME OFFICER, M.G.NATIONAL RURAL EMPLOYMENT
GUARANTEE SCHEME, NANDAVARAM MANDAL, KURNOOL
DISTRICT.

...RESPONDENT(S):

Counsel for the Petitioner:

1.BUTTA VIJAYA BHASKER

Counsel for the Respondent(S):

1.GP FOR PANCHAYAT RAJ & RURAL DEV

The Court made the following:

ORDER:-

Petitioner is aggrieved by the order dated 26.05.2012 whereby the 2nd respondent had terminated the services of the petitioner. The petitioner filed an appeal before the appellate authority and the 1st respondent dismissed the appeal on 26.11.2012. Aggrieved by the said orders the present petition is filed.

2. Learned counsel appearing for the petitioner submits that the 2nd respondent had relied on the social audit and has issued a show cause notice calling upon the petitioner to submit his reply. The petitioner submitted a detailed reply to the various allegations leveled against him. The 2nd respondent found the petitioner responsible for payment of an amount of Rs.12,147/- to a student who was studying degree and the petitioner is also alleged to have engaged the services of a student without approval. On this aspect, an enquiry was conducted and the petitioner has also extended a personal hearing. The Enquiry Officer found the petitioner liable for refunding the amount of Rs.12,147/- and accordingly ordered the termination of his services and also recovery of the said amount. Aggrieved by the said order, the petitioner filed an appeal before the appellate authority and the appellate authority has considered the enquiry report and also the social audit conducted in the relevant bundle. The appellate authority also extended a personal hearing and the petitioner was also granted time to submit his explanation. It is stated in the impugned order that the petitioner did not submit any explanation. However, attended the oral hearing and submitted his

explanation. The explanation submitted by the petitioner during the personal hearing was found unconvincing and as such refused to interfere with the orders passed by the 2nd respondent.

3. The learned counsel for the petitioner submits that the orders passed by the 1st respondent do not assign any reasons for holding the petitioner guilty of the allegations. It is submitted that an order without reasons would have to be set aside and the 1st respondent would have to reconsider the matter afresh.

4. Learned Standing Counsel, appearing for the respondents submits that the petitioner was engaged on a contract basis and the contract period of the petitioner had come to an end on 30.06.2012. That apart, the petitioner cannot invoke the jurisdiction of this Court, as he is a contract employee for a specified period of time. It is also stated in the counter that the principles of natural justice were followed while conducting an enquiry and the petitioner himself attended the personal hearing and also submitted the explanation to the show cause notice. The order of termination dated 26.05.2012 was passed only after following the new procedure. The petitioner was also informed about the effective alternative remedy before the 1st respondent which was availed by the petitioner. However on merits, the petitioner could not submit any satisfactory explanation for unsettling the findings of the Enquiry Officer.

5. Considering the submissions and after perusing the record, the petitioner has not submitted any document which would evidence the nature of engagement of the petitioner. On the contrary, when the petitioner was engaged for a limited period of time on a contract basis, the petitioner cannot seek a direction for re-engagement. The grounds assigned challenging the Impugned proceedings do not instill any confidence for interfering in the enquiry proceedings. On these considerations, this Court is not inclined to interfere with the impugned proceedings.

6. Accordingly, the Writ Petition is dismissed. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE HARINATH.N

Date.19.02.2026

SR