APHC010530612026

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

WEDNESDAY, THE 7th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI

THE HONOURABLE SRI JUSTICE ALAPATI GIRIDHAR

WRIT PETITION NO: 28869 OF 2026

Between:

1. Sri A. Rajasekhar Gowd, aged 46 years S/o Late A. Sri Venkataswamy Occ Office Superintendent, 0/0 Principal Commissioner of Income Tax, K.T. Road, Tirupati -517501

...Petitioner

AND

1. Union of India, Rep. by its Secretary (Revenue), Ministry of Finance, Department of Revenue, North Block, New Delhi -110001.

2. Central Board of Direct Taxes CBDT, through its Chairman, Department of Revenue, Ministry of Finance, North Block, New Delhi - 110001.

3. Disciplinary Authority, The Principal Commissioner of Income Tax, Tirupati Charge, Aayakar Bhavan, K.T. Road, Tirupati - 517507.

4. Shri V Dayananda Prasad, Inquiry Officer in the case of Shri A. Rajasekhar Gowd, Deputy Commissioner of Income Tax, Circle-1, Rajahmundry-533105

...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 topleased to issue a writ, order or direction, more particularly one in the nature of Writ of Mandamus or any other appropriate writ, directing the Respondents to stay all the further departmental proceedings against the petitioner pursuant to the remitting order of the 3 rd Respondent passed vide F.No. ARSG/Vig/PCIT/TPT/2025-2026 dated 20-11-2025 under Rule 15(1) of the CCS (CCA) Rules, 1965, including the summons dated 04.09.2026 and the inquiry proceedings fixed on 07.10.2026, till the disposal of OA No. 424/2026 by the Central Administrative Tribunal while declaring the rejection order dated 07.08.2026 passed by the Central Administrative Tribunal, Hyderabad Bench in OA No. 424/2026 as arbitrary, illegal, in disregard of the order dated 19.06.2026 of this Honble Court in W.P. No. 12292/2026 and violative of principles of natural justice, and setting aside the order dated 07.08.2026 to the extent it refuses interim relief and pass

IA NO: 1 OF 2026

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 pleased to suspend the operation of the summons dated 04.09.2026 issued by the 4th Respondent (F.No. ARSG/I0/2026-27) calling upon Sri A. Sreenivasa Rao, [)SP, CIU, ACB, Vijayawada (PW No. 10), and Sri A.K. Dabas, Inspector, CBI, ACB, Visakhapatnam (PW No. 11) while staying the examination-in-chief and cross examination of the said witnesses and all further proceedings in the departmental inquiry fixed for 07.10.2026 pursuant to the remitting order dated 20.11.2025, and pass

Counsel for the Petitioner: ATI NAGA SURYA VENKATESH

Counsel for the Respondents: GP FOR SERVICES I Counsel for the Respondents:Y N VIVEKANANDA

The Court made the following order:

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI

THE HONOURABLE SRI JUSTICE ALAPATI GIRIDHAR

WRIT PETITION NO: 28869 OF 2026

ORDER: *(per Ravi Nath Tilhari, J)*

Heard Sri Ati Naga Surya Venkatesh, learned counsel for the petitioner and Sri K.Basha, learned counsel representing Sri Y.N.Vivekananda, learned counsel for the respondent No.2.

2. Ms.Sk.Shahedaz, learned counsel appears for learned Deputy Solicitor General for respondent No.1and submits that she is formal party.

3. Considering the nature of dispute and the grievance raised in the writ petition as also that the OA is pending before the Tribunal, we are inclined to dispose of this writ petition at this stage dispensing with the issuance of notice to respondent Nos.3 & 4.

4. Initially, the Central Administrative Tribunal, Hyderabad (Telangana) by order dated 23.04.2026 rejected the prayer for interim relief. The order reads as under:

> "Heard Mr.ANS Venkatesh, learned counsel for the applicant.
> Admit
> Interim Relief, as sought in the O.A., is rejected.
> Issue notice to the respondents.
> Four weeks' time is granted to the respondents to file a reply in the matter.
> List the case, on 23.07.2026, before the Registrar's Court, for completion of pleadings.

A copy of today's order to be sent to the respondents through email, to enable them to file reply, to support speedy adjudication and disposal."

5. Challenging the said order dated 23.04.2026, W.P.No.12292 of 2026 was filed by the petitioner and the same was allowed with the observations and directions as contained in the judgment dated 19.06.2026. The operative part reads as under:

"11. The impugned order is unsustainable on such ground.

12. Only, on the aforesaid ground, we allow the writ petition and quash that part of the impugned order dated 23.04.2026 by which the interim relief has been rejected.

13. The Tribunal shall reconsider the prayer for interim relief in accordance with law by affording opportunity of hearing to both the sides and expeditiously, if possible on the next date i.e., 23.07.2026 and if so not possible for some justifiable reasons, the interim prayer shall be considered and decided within next one week from the date fixed positively."

6. Thereafter on 07.08.2026, the Tribunal passed the following order:

"Counsels for the parties are present, physically.

The applicant's counsel prayed for interim relief.

Having heard, we are not inclined to grant interim relief at this stage.

List the case on 28.08.2026."

7. Challenging the same the present writ petition has been filed.

8. Learned counsel for the petitioner submits that again, the Tribunal has passed the non-speaking order and does not consider the petitioner's prayer for grant of interim relief in terms of the directions issued in W.P.No.12292 of 2026.

9. Learned counsel for respondent No.2 on being questioned submits that counter has yet not been filed in OA.

10. The direction in W.P.No.12292 of 2026 vide order dated 19.06.2026 was very clear to the Tribunal that “the Tribunal shall reconsider the prayer for interim relief in accordance with law by affording opportunity of hearing to both the sides and expeditiously, if possible on the next date i.e., 23.07.2026 and if so not possible on that date, within one week positively.” Inspite of such direction, the Tribunal has not passed any reasoned order considering the interim relief matter and again for no reasons assigned, was not inclined to consider, grant of interim relief, which prima facie is not in consonance with the directions issued.

11. This petition is being disposed of with a direction to the Tribunal to pass a reasoned order on the petitioner’s/applicant’s prayer for grant of interim relief, within 10 days from the date of production of the copy of this order in accordance with law. It is further made clear that even if the respondent No.2 does not file the counter affidavit which may be to delay the consideration of interim prayer, still the Tribunal shall consider the prayer and pass reasoned orders within the said period.

12. With the aforesaid directions, the writ petition is disposed of.

No order as to costs.

As a sequel thereto, miscellaneous petitions, if any pending, shall also stand closed.

RAVI NATH TILHARI,J

ALAPATI GIRIDHAR,J

Dated: 07.10.2026
AG

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI

THE HONOURABLE SRI JUSTICE ALAPATI GIRIDHAR

WRIT PETITION NO: 28869 OF 2026

Dated: 07.10.2026
AG