



CNR: KAHC010074342022

NC: 2026:KHC:45290
WP No. 3624 of 2022

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 20TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MS. JUSTICE JYOTI M

WRIT PETITION NO. 3624 OF 2022 (L-KSRTC)

BETWEEN:

THE DIVISIONAL CONTROLLER,
KSRTC, KOLAR DIVISION,
KOLAR.

...PETITIONER

(BY SRI. BALARAJ A.C., ADVOCATE)

AND:

SRI. PRABHUDAS,
ASSISTANT TRAFFIC INSPECTOR,
DIVISIONAL LINE CHECKING
REPRESENTED BY PRESIDENT
KSRTC STAFF AND WORKERS
FEDERATION,
KOLAR DIVISION,
KOLAR.

...RESPONDENT

(BY SRI. SHEKAR L., ADVOCATE - ABSENT)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA, SEEKING CERTAIN
RELIEFS.

THIS WRIT PETITION IS LISTED FOR PRELIMINARY
HEARING IN 'B' GROUP, THIS DAY, AN ORDER IS MADE AS
UNDER:



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ORAL ORDER

Sri. Balaraj A.C., counsel for the petitioner, appeared in person.

There is no representation on behalf of the respondent. The petition was listed on 19.08.2026. At the request of the respondent, the matter was ordered to be listed today, i.e., 20.08.2026. Accordingly, the registry has listed the matter today. When the matter was called, there was no representation on behalf of the respondent. Hence, the Court proceeds to pass orders on the merits of the case.

2. The short facts are these:

The respondent was on duty on 26.03.2011 on the Molubagilu-Palmner route, accompanied by his jeep driver, to check whether the drivers of the petitioner/Corporation's vehicles had consumed alcohol. At this juncture, the jeep driver of the petitioner, viz., Sri.Muniyappa, was randomly checked by the Security And Vigilance Officer of the Corporation and found to be in a drunken state of mind. Upon being asked, he admitted that he had consumed alcohol. Accordingly, both the



Security And Vigilance Officer and the respondent drew the panchanama, which was voluntarily given by Sri.Muniyappa. Based on the report, the petitioner, Corporation, issued Articles of charges to the respondent for allowing his driver to drive the jeep despite knowing that he had consumed alcohol. After receipt of the charge sheet, the respondent denied the charges and pleaded that he had not committed any mistake or violated any rules/ regulations of the Corporation. The Corporation was not satisfied with the explanation and ordered punishment.

The respondent preferred an appeal, which was dismissed. After almost 3 years, he raised a dispute before the Industrial Tribunal, Bengaluru, in I.D.No.64/2015. The Tribunal, vide award dated 07.01.2021, set aside the punishment order. Under these circumstances, the Corporation has filed the present writ petition on several grounds, as outlined in the memorandum of the petition.

3. Counsel for the petitioner advanced several contentions.



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Sri Balaraj A.C., Counsel, strongly argued that the Tribunal wrongly excused the misconduct and misinterpreted the decision HERBERT LOBO VS. PRESIDING OFFICER, LABOUR COURT, MANGALORE AND OTHERS reported in 1997 (4) KAR.L.J. 524. He contended that for minor penalties, an inquiry isn't necessary, so the Tribunal's award should be overturned. Additionally, he pointed out that there was a delay in raising the dispute.

4. Heard the arguments and perused the papers with utmost care.

5. The point that requires consideration is, whether the award of the Tribunal warrants interference.

6. Sri Prabhudas was serving as an Assistant Traffic Inspector. On September 26, 2011, he was on duty on the Molubagilu-Palmner route with his jeep driver, Sri Muniyappa. It was confirmed that Sri Muniyappa was intoxicated, as a breath analyser test indicated a positive result. A Panchanama was drawn, and Sri Muniyappa admitted to consuming alcohol.



It's crucial to highlight that the Tribunal pardoned the misconduct solely because the Corporation failed to conduct an inquiry. This reason for pardoning cannot be justified. The reason is straightforward: it is undisputed that the Corporation imposed a minor penalty under Regulation 18A(iii) of the Karnataka State Road Transport Corporation Servants (Conduct & Discipline) Regulations, 1971, and such penalties do not require a detailed inquiry. The law, as affirmed by this Court in HERBERT LOBO VS. PRESIDING OFFICER, LABOUR COURT, MANGALORE AND OTHERS (1997 (4) KAR.L.J. 524), clearly supports this. The Tribunal misinterpreted the law and wrongly linked it to misconduct. Furthermore, the Tribunal's only concern should have been whether the respondent's jeep driver had consumed alcohol, which was evident from the panchanama. Therefore, the Tribunal had no grounds to pardon the misconduct.

7. For the reasons stated above, the Tribunal's award is liable to be quashed. Accordingly, it is quashed. The award dated 07.01.2021 passed by the Industrial Tribunal, Bengaluru,



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in I.D. No. 64/2015, at Annexure - J, is quashed. The order of punishment is confirmed.

8. Resultantly, the writ petition is ***allowed***.

On disposal of the Writ Petition, any interim order stands discharged, and pending interlocutory applications, if any, are disposed of.

**SD/-
(JYOTI M)
JUDGE**

SS
List No.: 1 Sl No.: 14