



CNR: KAHC010101602021

NC: 2026:KHC:39509
WP No. 9513 of 2022

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF JULY, 2026

BEFORE

THE HON'BLE MS. JUSTICE JYOTI M

WRIT PETITION NO. 9513 OF 2022 (L-KSRTC)

BETWEEN:

CHIEF DIVISIONAL CONTROLLER,
KSRTC, BENGALURU CENTRAL OFFICE,
HEREIN REPRESENTED BY
THE CHIEF LAW OFFICER,
K.S.R.T.C., CENTRAL OFFICES,
K.H. ROAD, SHANTHI NAGAR,
BENGALURU-560 027.

...PETITIONER

(BY SMT. H.R. RENUKA, ADVOCATE)

AND:

SRI. K. MOHAN,
AGE: 57 YEARS,
OCC: CHARGEMAN,
REPRESENTED BY THE
GENERAL SECRETARY,
KSRTC AND BMTc UNITED
EMPLOYEES UNION NO.23,
4TH MAIN ROAD, MATHIKERE
EXTENSION, BENGALURU-560054.

...RESPONDENT

(RESPONDENT-SERVED AND UNREPRESENTED)

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

Digitally signed by
PREMCHANDRA M R
Location: HIGH
COURT OF
KARNATAKA



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

ORAL ORDER

Smt.H.R.Renuka., counsel for the petitioner, has appeared in person and undertakes to file a power on behalf of the petitioner.

Submission is noted. The office is directed to accept the vakalath that counsel Smt.H.R.Renuka., would file.

Notice was issued to the respondent. A perusal of the office note indicates that the respondent was served and is unrepresented. The respondent, though served, has neither engaged the services of an advocate nor chosen to conduct the case as a party-in-person.

2. The short facts are these:

The respondent was working as a Charge Man in the Corporation. Due to the respondent's negligent supervision, the vehicle was damaged by a fire caused by an electrical short circuit at 10:55 hours, while parked after refuelling the bus.



Further, upon reviewing the log sheet of the past ten days regarding the said bus, it was found that there was a defect in the bus that the respondent did not attend to during his scheduled duty. As a result of the incident, the Corporation suffered a financial loss of approximately 4 to 5 Lakhs. Based on the Divisional Controller's report, the disciplinary authority issued charges and initiated an inquiry. The inquiry officer conducted the investigation and concluded that the charges were proved. The disciplinary authority imposed a minor punishment by reducing the respondent's basic pay by one annual incremental stage with cumulative effect.

Aggrieved by this, he filed a dispute before the Industrial Tribunal, Bengaluru, in I.D.No.142/2012. The Tribunal, through an award dated 04.11.2019, allowed the claim petition and set aside the punishment order. Under these circumstances, this writ petition has been filed on several grounds as outlined in the Memorandum of Writ Petition.

3. Counsel for the petitioner urged several contentions. I have heard the arguments and perused the writ papers with utmost care.



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4. The following points arise for determination.

1. Whether the respondent, being a Charge Man, failed in his duty to examine the daily log sheet and ensure rectification of the bus's defects.

2. Whether the Tribunal was justified in shifting responsibility to the depot manager and pardoning the respondent's misconduct.

5. The respondent, as Charge Man, was duty-bound to examine the daily log sheet and arrange for repairs of reported defects. Ex.M9, the daily log sheet, records under the mechanical defects column: "*radiator heavy boiled and the vehicle is off at running.*" The depot manager's role does not extend to rectifying mechanical defects; that responsibility lies with the Charge Man. The Tribunal erred in exonerating the respondent and attributing blame to the depot manager.

6. The facts are adequately presented and require no repetition. The misconduct arises from the respondent's negligence in failing to address and repair the bus's defects despite clear entries in the daily log sheet. The Tribunal's



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reasoning that the depot manager permitted the bus to ply on the route is untenable, as the depot manager is not responsible for mechanical repairs. The duty to act upon the log sheet entries rests squarely with the Charge Man. Pardoning the respondent while faulting the depot manager is contrary to the evidence and unjustified.

It is held that the respondent, being Charge Man, committed misconduct by failing to rectify the bus's defects as recorded in Ex.M9. The Tribunal's decision to pardon the respondent and shift blame to the depot manager is set aside. The misconduct stands established against the respondent.

7. The Writ of Certiorari is ordered. The award dated 04.11.2019, passed by the Industrial Tribunal, Bengaluru, in I.D.No.142/2012, vide Annexure-J, is quashed. The punishment order is confirmed.

8. Resultantly, the Writ Petition is ***allowed***.



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

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

MRP
List No.: 1 Sl No.: 39