



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 1ST DAY OF JULY, 2026

BEFORE

THE HON'BLE MS. JUSTICE JYOTI M

WRIT PETITION NO. 9635 OF 2022 (S-KSRTC)

BETWEEN:

SMT. NANJAMMA T.,
AGED ABOUT 58 YEARS,
W/O. GOVINDARAJU,
ASSISTANT ACCOUNTANT
DEPOT NO.16, WEST REGION,
B.M.T.C., DEEPANJALINAGARA,
BYATARAYANAPURA,
BENGALURU-560 092.

...PETITIONER

(BY SRI. NAVEEN KUMAR, ADVOCATE,
SRI. MUKKANNAPPA S.B., ADVOCATE)

AND:

1. THE DIRECTOR (SECURITY AND VIGILANCE)
APPELLATE AUTHORITY,
B.M.T.C., CENTRAL OFFICES,
K.H. ROAD, SHANTHINAGAR,
BENGALURU - 560 027.

2. THE DIVISIONAL CONTROLLER
AND DISCIPLINARY AUTHORITY,
WEST REGION, B.M.T.C.,
CENTRAL OFFICES,
K.H. ROAD, SHANTHINAGAR,
BENGALURU - 560 027.

...RESPONDENTS

(BY SRI. HAREESH BHANDARY T., ADVOCATE)



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:

ORAL ORDER

Sri.Naveen Kumar., counsel on behalf of Sri.S.B.Mukkannappa., for the petitioner and Sri.Hareesh Bhandary.T., counsel for the respondents have appeared in person.

2. The short facts are these:

The petitioner was working as an Assistant Accountant in Depot No.16 of BMTC of the West region of Bengaluru. In 2017, the Accounts Superintendent gave a report against the petitioner. Articles of charge came to be issued. The inquiry officer submitted a report holding that the charges levelled against the petitioner were proved in the inquiry. A show-cause notice was issued. The second respondent passed the punishment order on 07.12.2019 by reducing 3 incremental stages for a period of 3 years. The first respondent issued a



show cause notice to the petitioner under Regulation 34(2)(c) and sub-Rule iii of KSRTC Servants (Conduct and Discipline) Regulation, 1971, for the enhancement of punishment. The petitioner submitted the reply to the show cause notice issued by the first respondent. On 23.11.2020, the first respondent passed the punishment order by reducing the basic pay of the petitioner by 3 incremental stages permanently. Under these circumstances, the petitioner has filed the present writ petition on several grounds as set out in the memorandum of writ petition.

3. Counsel for the respective parties presented several contentions.

Counsel for the petitioner first submits that the enhancement of the punishment order is illegal, arbitrary, and opposed to the principles of natural justice.

Next, it is urged that the enhancement of punishment is contrary to the law laid down by this Court. Thereafter, it is vehemently contended that an oral hearing ought to have been afforded to the petitioner. However, in the present case, the first respondent, without granting such an opportunity, has



proceeded to pass the impugned order. Finally, it is submitted that the Appellate Authority has no power to enhance the punishment order. On the cumulative strength of these grounds, counsel contends that the impugned order is liable to be set aside.

To substantiate the said contentions, counsel for the petitioner placed reliance on the following decisions:

- 1. UMESH VS MANAGING DIRECTOR, KSRTC, REPORTED IN ILR 1987 KAR 31.*
- 2. JAYANNA VS GENERAL MANAGER, KSRTC, REPORTED IN ILR 1985 KAR 3349.*

4. Counsel for the respondent has justified the action taken by the Corporation. It is submitted that the Appellate Authority, in exercise of its powers under Regulation No.34 of the Karnataka State Road Transport Corporation Servants (Conduct and Discipline) Regulations, 1971, has rightly enhanced the punishment imposed. The order passed is just, proper, and in accordance with the law. The writ petition is devoid of merit and, therefore, liable to be dismissed.



5. The principal ground urged for quashing the order of the Appellate Authority is that it runs contrary to the law laid down by this Court and that no opportunity of oral or personal hearing was afforded to the petitioner. One of the main planks of the petitioner's case is that the Appellate Authority lacked the power to enhance the punishment imposed. This contention is untenable. In *Umesh's case*, there is nothing to indicate that a personal hearing is mandatorily required to be accorded to the delinquent in appellate proceedings. Furthermore, Regulation No.34 of the Karnataka State Road Transport Corporation Servants (Conduct and Discipline) Regulations, 1971, expressly empowers the Appellate Authority to modify, including to enhance, the punishment imposed by the Disciplinary Authority. In the present case, the Appellate Authority has duly exercised the power vested in it under Regulation No.34 and rightly modified the punishment. The challenge raised by the petitioner is devoid of merit. Accordingly, the writ petition stands ***dismissed***.

Because of dismissal of the writ petition, the interim order granted by this court, if any, stands discharged and pending



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interlocutory applications and interim directions, if any, are disposed of.

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

MRP
List No.: 1 Sl No.: 29