



CNR: KAHC010323562018

NC: 2026:KHC:39427
WP No. 1407 of 2018

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. 1407 OF 2018 (S-KSRTC)

BETWEEN:

SRI. R.A. NAGENDRANATH,
S/O. LATE. R.S. AMARENDRANATH,
AGED ABOUT 60 YEARS,
RETIRED CHIEF PLANNING AND
STATISTICAL OFFICER, NWKRTC
RESIDING AT: FLAT NO. GF3 DURGA
NIVAS APARTMENT, 4TH MAIN ROAD
AKSHAYANAGAR, BENGALURU - 560 068
DISTRICT: BENGALURU URBAN.

...PETITIONER

(BY SRI. YASHWANTH NETHAJI N.T. ADVOCATE FOR
SRI. K.V. NARASIMHAN, ADVOCATE)

AND:

1. THE BOARD OF DIRECTORS
DULY REPRESENTED BY
THE BOARD SECRETARY,
K.S.R.T.C., CENTRAL OFFICE,
SHANTHI NAGAR, BENGALURU-560027
DISTRICT: BENGALURU URBAN.
2. THE MANAGING DIRECTOR AND
DISCIPLINARY AUTHORITY
K.S.R.T.C., CENTRAL OFFICE,
SHANTHI NAGAR, BENGALURU-560027
DISTRICT: BENGALURU URBAN.

...RESPONDENTS

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



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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.Yashwanth Nethaji.N.T., counsel on behalf of Sri.K.V.Narasimhan., for the petitioner and Smt.H.R.Renuka., counsel for the respondents appeared in person.

2. The writ petition is filed to quash the order dated 11.02.2017 passed by the first respondent vide Annexure-A and also to quash the order dated 04/05.02.2016 passed by the second respondent vide Annexure-B.

3. The short facts are as follows:

The respondent authority issued a memorandum to the petitioner requesting details of certain undisclosed loans. Upon receiving the communication, the petitioner replied with a statement of the relevant facts. Subsequently, the second respondent framed charges against the petitioner under



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Regulation 19(2) read with Regulation 22 of the KSRTC Servants (Conduct and Discipline) Regulations, 1971. After the charge sheet was served, the petitioner submitted a written explanation, addressing each of the charges against him in detail.

Subsequently, on 04.05.2016, the second respondent issued an order imposing a penalty of reducing the petitioner's basic pay by one incremental stage for one year, without cumulative effect. Aggrieved, the petitioner filed an appeal before the Board of Directors. The first respondent, by order dated 11.02.2017, dismissed the appeal. In these circumstances, the petitioner has approached this Court through the present writ petition, challenging the impugned orders on various grounds outlined in the memorandum of writ petition.

4. Counsel for the respective parties presented several contentions.

Counsel for the petitioner contends that the orders issued by the respondents are unlawful and unconstitutional because



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they violate principles of natural justice and contradict the evidence on record. The respondents have not taken into account the detailed explanation provided by the petitioner, rendering the action completely arbitrary, unsustainable, and in violation of Article 14 of the Constitution of India.

It is further submitted that the loan in question was repaid as early as 2005, whereas, the charge memorandum was issued only in 2013; thereby experiencing an unreasonable and unexplained delay. It is vehemently argued that the impugned orders are unsustainable, having been passed in violation of the KSRTC Servants (Conduct and Discipline) Regulations. It is specifically contended that the penalty of reduction of basic pay by one incremental stage for a period of one year, though described as without cumulative effect, amounts to a serious punishment, particularly, as the petitioner was nearing retirement. The said punishment, it is urged, has adversely affected his gratuity, provident fund, leave encashment, and other retirement benefits.

Lastly, it is submitted that the orders impugned are cyclostyle, having been passed without conducting any



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departmental inquiry or issuing a proposal to impose such a penalty, thereby violating Rule 22 of the Regulations. Urging additional grounds, counsel prays that the writ petition may be allowed. He placed reliance on the following decisions:

***P.V.MAHADEVAN V/S. MD, T.N. HOUSING BOARD
REPORTED IN (2005) 6 SCC 636.***

***A.JAYARAMULU V/S. THE MANAGING DIRECTOR IN
W.P.NO.29043/2015 DISPOSED OF ON 08.03.2018.***

Counsel for the respondent argued that the main issue of the charge against the petitioner is, his failure to disclose a liability to an extent of 11.85 Lakh in the 2003 declaration of assets and liabilities, even though the loan was later repaid in 2005, it was stressed that this misconduct was thus proven. The counsel also stated that the reasons have been properly recorded for waiving a formal inquiry, as described under Regulation 22(1)(b) of the Regulations.

It is strenuously urged that the misconduct directly results from the petitioner's own admission in his reply, where he acknowledged that as of 03.05.2003, he held an outstanding



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loan from the State Bank of Mysuru, which was not reflected in the declaration of assets and liabilities made on that date and that the loan was only cleared in 2005. Based on this, it is contended that no enquiry was necessary, since the misconduct is evident from the petitioner's admission.

Counsel also addressed the delay raised by the petitioner, submitting that such a delay was caused by the petitioner himself, who sought time on various pretexts, including filing an RTI application with the State Bank of Mysuru. It was emphasized that no prejudice or inconvenience was caused to the petitioner, and that the charge was proven based on his own explanation to the charge sheet. Urging other arguments, she prayed for the disposal of the writ petition.

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

6. The material facts are sufficiently stated and do not require repetition. The main issue concerns the petitioner's failure to disclose the loan liabilities in his statement of assets and liabilities. It is undisputed that the petitioner was dismissed



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from service in 1985 and reinstated following the order of the Apex Court in Civil Appeal No.115/1998, dated 21.10.2000. The petitioner claims that during his dismissal, he took out loans to support himself through business activities. It is also undisputed that these loans were only repaid in 2005. Upon his reinstatement, the petitioner submitted his declaration of assets and liabilities in 2003. At that time, the loans remained unpaid, yet he failed to disclose them. He explains that the loans were taken during his dismissal, when he was not employed by the Corporation, and that his father-in-law repaid them, thereby, removing any obligation to declare them in 2003. The petitioner's argument is unconvincing. The primary issue is non disclosure of financial liabilities, and as a corporate officer, he was clearly required to disclose such liabilities under the relevant regulations. His claim of delay is also unfounded. A notice was issued in 2003 asking him to explain the loan clearance, which, admittedly, occurred only in 2005. Instead of responding promptly, he repeatedly sought extensions on various pretexts. Under these circumstances, he cannot now claim delay.



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A considerable portion of argument concerns the relevant rules and regulations of Corporation and failure to conduct the inquiry. The submission with regard to the relevant regulations is noted with utmost care. As already noted above, the main issue is the non-disclosure of financial liabilities, and a minor penalty was imposed. Regulation 22 deals with minor penalties, and if the disciplinary authority believes a minor penalty is appropriate, it can dispense with conducting an inquiry. Furthermore, in this case, the petitioner admits the loan and failure to obtain Corporation's permission. Therefore, it cannot be argued that no inquiry took place. The managerial decision to impose a minor penalty cannot be overturned in a judicial review.

The decision relied upon by the counsel for the petitioner is not applicable to the facts and circumstances of the present case. Since, in that case the issue was the corruption; however, in the present case, the primary issue was is non disclosure of financial liabilities and failure to obtain prior permission.

7. For the foregoing reasons, the petition lacks merit and is liable to be dismissed. Resultantly, it is ***dismissed***.



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

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

SS
List No.: 1 Sl No.: 24