HON'BLE SRI JUSTICE R. KANTHA RAO

Writ Petition Nos.9587, 9588, 12215 and 12224 of 2015

COMMON ORDER:

The petitioners in WP Nos.9587 and 9588 of 2015 questioned the proceedings, where under after enquiry, a show cause notice was issued proposing punishment of termination from services. Where as, in WP Nos.12215 and 12224 of 2015, the same petitioners questioned the order of termination. In all the cases, the charges levelled against the petitioners are that they permitted some prohibited articles made up of rosewood in the buses.

2. Learned counsel appearing for the petitioners submits that for all the articles, there are proper bills and the petitioners have not committed any irregularities. However, the main contention of the learned counsel appearing for the petitioners is that on identical charges, the Depot Manager, J.R. Gudem Depot, by proceedings dated 27.01.2015 imposed punishment of deferment of one annual increment only and even though the said fact was brought to the notice, the same has not been taken into consideration in the case of the petitioners and the impugned orders have been passed. Further contention of the learned counsel appearing for the petitioners is that despite of passing of the above orders, the services of the petitioners were utilised during the strike period.

3. On the other hand, learned standing counsel for APSRTC would submit that an effective alternative remedy by way of appeal is available to the petitioners.

4. Considering the submissions made by both the learned counsel, I am of the view that it would be appropriate to direct the petitioners to avail alternative remedy of appeal.

5. In the circumstances, the petitioners are directed to file an appeal before the Appellate Authority within fifteen (15) days from the date of receipt of a copy of

this order and on filing such appeals, the Appellate Authority shall entertain the appeals notwithstanding the delay, if any occasioned in filing the appeals. Further, the Appellate Authority shall dispose of the appeals of the petitioners taking into consideration of aforesaid contentions raised by the petitioners and pass a reasoned order, within four weeks thereafter.

6. All the writ petitions are disposed of accordingly. Miscellaneous applications, if any, in these writ petitions, shall stand closed. No order as to costs.

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R. KANTHA RAO, J

Date: 09.06.2015

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HON'BLE SRI JUSTICE R. KANTHA RAO

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Date: 09.06.2015

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