

HON'BLE SRI JUSTICE R.KANTHA RAO

Writ Petition No.26904 of 2015

Order:

Heard Sri Ch.Srinivas, learned counsel appearing for the petitioner and Sri P.Durga Prasad, learned Standing Counsel for the respondents-APSRTC.

2. The petitioner was a driver in the respondents-Corporation. On the allegation that the petitioner while driving the bus caused an accident by dashing a stationed lorry resulting in death of a passenger, a charge-sheet was issued to him and disciplinary proceedings were initiated. Basing on the enquiry report, the disciplinary authority removed the petitioner from service by order dated 22-02-2006. Feeling aggrieved, he preferred I.D.No.10 of 2007 before the Labour Court, Guntur. While the I.D. was pending, the petitioner was acquitted of the offence under Section 304-A, IPC in C.C.No.669 of 2005. Subsequently, the matter was referred to Lok Adalat and with the consent of both parties, the punishment of removal was modified as compulsorily retirement from service for the purpose of retiral benefits only. By virtue of the award passed by the Lok Adalat, it is submitted by the petitioner that he is entitled to all the terminal benefits.

3. According to the petitioner, his actual date of superannuation was 31-01-2009. Pursuant to the award passed by the Lok Adalat, part of the retiral benefits were

paid to the petitioner and some amount is still due to be paid to him. He made a representation dated 30-4-2012 but, he submits that, the remaining retiral benefits were not paid to him.

4. In view of the above, the writ petition is disposed of directing the respondents-Corporation to pay the retiral benefits to the petitioner, if, in fact, any part of the retiral benefits are still due to be paid to the petitioner within a period of 8 (eight) weeks. The miscellaneous petitions, if any, pending in this writ petition shall stand closed.

No costs.

R.KANTHA RAO, J.

25th August, 2015.

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