

HON'BLE SRI JUSTICE R.KANTHA RAO

W.P.No.19964 of 2015

ORDER:

Heard learned counsel appearing for the petitioner and learned Standing Counsel appearing for respondents 1 to 3.

This writ petition is filed seeking to declare the action of the 3rd respondent-Corporation in issuing the proceedings dated 14.3.2011 and the action of the 2nd respondent in issuing the subsequent proceedings dated 31.12.2012 by modifying the punishment imposed on the petitioner, as arbitrary and illegal.

The petitioner was appointed as Shramic in the respondent-Corporation on 20.02.1999. While so, pursuant to the complaint made by one M.V.Basha, contract driver, the respondent-Corporation issued charge sheet to the petitioner on 27.1.2011, for which, he submitted his explanation. Thereafter, the 3rd respondent passed the final order dated 14.3.2011 imposing punishment of deferment of annual increment for a period of two years, which shall have effect on his future increments. In the

appeal filed by the petitioner, the said punishment was modified to that of deferment of annual increment for a period of one year. Aggrieved by the same, the petitioner filed review petition before the reviewing authority, which was rejected.

Learned counsel appearing for the petitioner submits that the punishment imposed against the petitioner, which was modified in the appeal, is a major punishment, and the same ought not to have been imposed without conducting any enquiry.

Considering the aforesaid submission, the Writ Petition is disposed of by modifying the punishment to that of stoppage of increment for a period of one year without cumulative effect. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this writ petition stand closed.

JUSTICE R.KANTHA RAO

3rd July, 2015
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