

HON'BLE SRI JUSTICE R.KANTHA RAO

W.P.No.26562 of 2015

ORDER

This Writ Petition is filed seeking to declare the action of the 2nd respondent in suspending the petitioner *vide* proceedings dated 07.08.2015, as arbitrary and illegal.

The petitioner was appointed as Driver in the respondent-Corporation. While so, charge sheet was issued to him alleging that he caused accident wherein the passengers received minor injuries and that some damage was caused to the bus. Simultaneously, the petitioner was kept under suspension.

Learned counsel appearing for the petitioner submits that as per the Circular dated 9.2.2002, in each and every case, the driver of the RTC bus need not be suspended and the suspension is warranted in case of death of passengers/pedestrian and also when the driver was found guilty of rash and negligent driving.

On the other hand, learned Standing Counsel appearing for the respondent-Corporation contends that the circular is exhaustive and not illustrative. He further contends that keeping the driver under

suspension depends upon the manner in which the accident took place and other factors.

Considering the submissions of the learned counsel on either side, the Writ Petition is disposed of directing the 2nd respondent to complete the enquiry and pass final order within a period of four weeks, failing which, the impugned order of suspension shall stand revoked. Further, the respondents are directed to furnish all the required copies to the petitioner during the course of enquiry. No costs.

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

JUSTICE R.KANTHA RAO

24th August, 2015

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