

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.28814 of 2011

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01.10.2015

Between:

K.Damodar Reddy

.. Petitioner

and

The Presiding Officer, Industrial Tribunal-I, Hyderabad and others

.. Respondents

Counsel for the petitioner: Mr.P.Venkateswara Rao

Counsel for respondent No.1: None appeared

Counsel for respondent Nos.2 and 3: Mr.N.Praveen Reddy,

for Mr.N.Vasudeva Reddy,

standing counsel for APSRTC

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The Court made the following:

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ORDER:

This writ petition is filed for *certiorari* for quashing the award, dated 12.05.2009, in I.D.No.82 of 2008 of respondent No.1.

The petitioner was a driver and when he was discharging the duties of a conductor in a conductor-less bus service, he was removed from service on cash and ticket irregularity. The challenge to the removal order in I.D.No.82 of 2008 having failed, the petitioner filed this writ petition.

During the previous hearings, the learned counsel for the petitioner submitted that the penalty of removal from service imposed on his client, who has attained the age of superannuation by now, may be modified by reinstatement without monetary benefits so as to enable him to receive the retiral benefits. In the light of the above submission, the case was adjourned to facilitate the learned standing counsel for

A.P.S.R.T.C. to get instructions.

Today, Mr.N.Praveen Reddy, learned counsel representing Mr.N.Vasudeva Reddy, learned standing counsel for A.P.S.R.T.C., fairly submitted that the respondent Corporation has no objection for reinstating the petitioner without any monetary benefits except to the extent of making available to him the statutory benefits of provident fund, gratuity besides earned leave encashment. The learned counsel for the petitioner agreed to this submission.

Having regard to the consensus reached between the parties, the Writ Petition is partly allowed, by modifying the penalty of removal from service, by directing the petitioner's reinstatement without backwages and with the further clarification that he is entitled to receive only provident fund, gratuity and earned leave encashment from the respondents.

As a sequel to allowing the writ petition, W.P.M.P.No.35628 of 2011 filed by the petitioner for interim relief shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

01st October, 2015

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