

**THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO**

**WRIT PETITION NO.17391 OF 2016**

**ORDER:**

The petitioner was appointed as a driver in the year 1988 and his services were regularized in the year 1990. When he was plying the vehicle bearing No. AP 28Z 2164 on 17-05-2016 on route No.10 H service No.128/1 along with the conductor of Route-II depot, it appears that he missed Paradise bus stop. Basing on the complaint of T.T.E., a charge memo was issued to the petitioner on 19-05-2016 and he was also kept under suspension. The enquiry is going on. Challenging the order of suspension, the present writ petition is filed.

2. This Court called for the original record and noticed that there is no complaint from any passenger.

3. It is clear from the above facts that event of missing of bus stop at Paradise had taken place on 17-05-2016 and that incident cannot be a ground for suspending the petitioner, pending enquiry. This Court is not inclined to interfere with the enquiry process. Since there is no possibility of tampering with the evidence or influencing the witnesses, this Court deems it appropriate to set aside the impugned order of suspension, dated 23-05-2016 pending enquiry. In respect of the allegations levelled against the petitioner, the respondents can go ahead with the enquiry.

4. Accordingly, the writ petition is allowed to the extent indicated above. It is needless to observe that in view of setting aside of order of suspension, the petitioner shall co-operate with the enquiry. No order as to costs. Miscellaneous petitions, if any pending in this writ petition shall stand closed.

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**A.RAMALINGESWARA RAO, J**

**DATED: 08-06-2016**

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