

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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WRIT PETITION No.1072 of 2010

ORDER:

Heard the learned Standing Counsel for petitioner Corporation, the learned counsel for first respondent and the learned Government Pleader for Labour (TS) for second respondent.

2. The first respondent was appointed as a Conductor in the petitioner Corporation. On 19.01.1997, while he was discharging duties in bus No.1728 on the route Karimnagar to Godavarikhani, he was involved in a cash and ticket irregularity case and a charge memo was issued by the checking officials. The first respondent submitted his reply on 25.01.1997, and after considering the same, a charge sheet was issued on 01.02.1997 with three charges, to which, the first respondent submitted his explanation on 14.03.1997. After considering the charge memo and explanation, the disciplinary authority came to the conclusion that the charges against the first respondent are proved and accordingly imposed a penalty of deferment of annual increment for a period of six months with cumulative effect, by order dated 20.03.1997. After a period of nine years, the Government made a reference to the second respondent and the said reference was numbered as I.D.No.33 of 2006. The second respondent passed an Award on 01.09.2007 modifying the punishment to that of stoppage of annual increment for a period of six months without cumulative effect. Challenging the same, the present writ petition is filed.

3. It is submitted by the learned counsel for the petitioner Corporation that during the pendency of the writ petition, the first respondent retired from service and the punishment was only stoppage of annual increment for a period of six months without cumulative effect.

4. Since the said punishment was already carried out which has no

consequence on the retirement and the retirement having taken place, this Court sees no ground to examine the validity of the Award dated 01.09.2007 passed by the second respondent.

5. Hence, the writ petition is dismissed as infructuous. There shall be no order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

A.RAMALINGESWARA RAO, J

Date: 06.04.2016

TJMR