

**THE HONOURABLE SRI JUSTICE U.DURGA PRASAD
RAO**

WRIT PETITION No.11029 of 2001

ORDER:

This Writ Petition is filed by the petitioner aggrieved by the Award dt.16.09.2000 in I.D.No.234 of 1997 passed by the learned Presiding Officer, Labour Court, Guntur, confirming the punishment given by the Depot Manager, APSRTC, Nidadavole and modified in the appeal by the Divisional Manager, West Godavari Division, Eluru, reducing the punishment of postponing the annual increment of the petitioner for a period of three years with cumulative effect to the postponing the increment for a period of two years.

Heard Sri S.M. Subhan, learned counsel for petitioner and the learned Standing Counsel for respondents/APSRTC.

It is noticed from para No.5 of the Award in I.D.No.234 of 1997 that the petitioner has not questioned the findings of the Enquiry Officer, but he has questioned only the quantum of the punishment imposed against him, but the Tribunal found that the punishment imposed on the petitioner by the Divisional Manager was just and proper and accordingly dismissed the I.D.

Now the submission of learned counsel for petitioner is that the punishment of postponing the increment for a period of 2 years is quite disproportionate and hence he may be given an opportunity to make a representation before the concerned authorities for their consideration as he was retired from service as conductor on attaining superannuation in the year 2015.

Learned Standing Counsel for respondents submitted that he has no objection for a direction to the respondent authorities to consider

the representation of the petitioner.

In view of the above submission, this Writ Petition is disposed of with a liberty to the petitioner to make a representation before the concerned authorities to consider his case for reduction of the punishment within a period of four weeks from the date of this Order and in such an event, the authorities shall consider his case, as per rule, within a period of two months thereafter. No costs.

As a sequel, the miscellaneous petitions, if any, pending in this case shall stand closed.

U. DURGA PRASAD RAO, J

Date: 12.02.2016
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W.P.No.11029 of 2001

Dt. 12.02.2016

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