

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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WRIT PETITION No.17986 of 2016

ORDER:

The petitioner was initially appointed as a Driver on 05.05.1993 and his services are regularized. When he was discharging his duty on 17.05.2016 on Visakhapatnam to Kakinada route in a vehicle bearing registration No.AP 31Z 0240, the vehicle met with an accident. The damaged bus was handed over to Visakhapatnam Depot. A preliminary enquiry was conducted by the Assistant Traffic Manager on 19.05.2016 and an order of suspension was passed on 30.05.2016. A charge sheet was also issued framing two charges against the petitioner. Challenging the order of suspension, the present writ petition was filed.

A counter affidavit is filed on behalf of the respondents stating that in the down trip from Kakinada to Visakhapatnam, the driver drove the bus in a deviated route at Kathipudi and proceeded towards Rajahmundry Highway and took U turn at flyover end towards Visakhapatnam instead of proceeding under the flyover, Kathipudi. During the course of taking U turn, the back door portion of a lorry bearing registration No.AP 5TT 5355 dashed to the main glass portion of the bus and got damaged. In the up trip also, the vehicle met with an accident near Kathipudi while overtaking a lorry and was hit by the lorry resulting in damage to the vision mirror and side glass was bent. The driver tried to conceal the facts by hiding the first incident. A preliminary enquiry was conducted on 19.05.2016 and the Joint Accident Enquiry Committee reviewed the case and opined that the service driver is responsible for the cause of accident. As per the recommendations of the Committee, the driver was placed under

suspension by issuing a charge sheet containing two charges.
The enquiry is under progress.

In view of the accident and pending enquiry, this Court is not inclined to interfere with the order of suspension. However, respondents are directed to complete the enquiry as expeditiously as possible, but not later than three (3) months from the date of receipt of a copy of this order. It is needless to observe that the petitioner shall co-operate with the completion of enquiry.

With the above observations, this Writ Petition is disposed of. No order as to costs.

Miscellaneous Petitions pending, if any, shall stand closed.

A.RAMALINGESWARA RAO, J

19.07.2016

MVA