

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.18802 of 2016

ORDER:

1. Heard the learned Counsel for the petitioner and the learned Standing Counsel appearing for the respondents.
2. The petitioner joined the services of the respondent corporation as a Conductor after undergoing the selection process on 31.10.2008 and her services were regularized in the month of September 2010 while she was working at Godavarikhani Depot. While so, an order of suspension was passed on 07.10.2014 and challenging the same, the petitioner filed W.P.No.32128 of 2014 before this Court. The order of suspension was suspended and the Depot Manager, Karimnagar-I was directed to allow the petitioner to discharge the duty as a Conductor by order dated 28.10.2014. Thereafter, the petitioner was reinstated into service on 31.07.2015. Though the petitioner was discharging duty, she was paid only 50% of the salary and in those circumstances, she filed C.C.No.2254 of 2014. This Court by common order dated 10.08.2015 disposed of W.P.No.32128 of 2014 and C.C.No.2254 of 2014 holding that the order in W.P.No.32128 of 2014 has been complied with by the respondents. Thereafter, the petitioner was issued a show cause notice of removal from service on 24.12.2015 and ultimately without properly considering the explanation submitted by the petitioner, she was removed from service on 05.03.2016. Challenging the said order, the petitioner filed W.P.No.8946 of 2016 and this Court by order dated 18.03.2016 while setting aside the order of termination, gave liberty to the respondents to initiate *de novo* enquiry against the petitioner. Though the petitioner reported for duty pursuant to the orders of this Court in W.P.No.8946 of 2016, she was not taken back into services of the respondent corporation and no salary was paid from 01.02.2016 onwards. The petitioner is a regular employee of the respondent corporation since 2010. When an order dated 18.05.2016 was issued,

this writ petition was filed.

3. A reading of the averments made in the affidavit makes it clear that the order of termination of the petitioner from service was set aside by this Court on 18.03.2016 in W.P.No.8946 of 2016, but, however, liberty was given to the respondents to conduct *de novo* enquiry. The order of removal of the petitioner from service was passed on 05.03.2016. The allegation is that the petitioner was not paid wages from 01.02.2016 onwards. When the order of removal was set aside by this Court, the petitioner, who is a regular employee of the respondent corporation is entitled for wages for the services rendered. This W.P.No.8946 of 2016 was filed under the misconception that she was treated as a fresh employee, but the impugned order states that a *de novo* enquiry is being taken against the petitioner.

4. In the circumstances, the impugned order passed by the Personnel Officer, Office of the Regional Manager, Karimnagar (2nd respondent) on 18.05.2016 is modified to the extent of collection of security deposit. In pursuance of the orders of this Court in W.P.No.8946 of 2016 dated 18.03.2016, the petitioner shall be reinstated into service as a regular employee and she shall be paid her outstanding wages, if any, within a period of thirty (30) days from today as ordered by the 2nd respondent.

5. The Writ Petition is accordingly disposed of. No order as to costs. Miscellaneous petitions, if any, pending shall stand closed.

A.RAMALINGESWARA RAO, J

22-06-2016

Gsn