

**THE HON'BLE SRI JUSTICE A.V. SESA SAI**

**WRIT PETITION No.7530 OF 2016**

**ORDER:**

This Writ Petition, filed under Article 226 of the Constitution of India, challenges the order of suspension dated 24.02.2016 issued by the Depot Manager, Warangal – II Depot.

2. Heard Sri A.K.Jayaprakash Rao, learned counsel, appearing for the petitioner and Sri B.Mayur Reddy, learned standing counsel for the respondent Corporation.

3. Petitioner herein is a driver in the 2<sup>nd</sup> respondent – Telangana State Road Transport Corporation. The Depot Manager– 2<sup>nd</sup> respondent herein issued a charge sheet vide proceedings No.02/95(06)/2016-WL2, dated 24.02.2016, framing the following charges:

1. *"For having violated the rule and regulations of the Corporation, which is a serious misconduct in terms of Reg.No.28(xvii) & (xxxii) of APSRTC Employees (Conduct) Reg. 1963.*
2. *For having allowed luggage i.e., 50 Kgs. Of Gear Box and 50 Kgs of four paper bundles and 05 aluminium sheets unauthorisedly and "Un-accompanied" without passenger from Hyderabad to Hanamkonda, resulting in loss of legitimate revenues of the Corporation, which is a serious mis-conduct in terms of the Reg.No.28(ix)(a) of APSRTC Employees (CC&A) Reg.1963."*

4. In response to the said charge sheet and the charges contained therein, petitioner herein submitted an explanation dated 03.03.2016 completely denying the charges while requesting the respondent to raise suspension order. It is the contention of the learned counsel for the writ petitioner that in the facts and circumstances of the case, the

order of suspension is unwarranted and the same is contrary to the circular instructions issued by the respondent Corporation.

4. On the contrary, it is vehemently contended by the standing counsel for the respondent Corporation that the 2<sup>nd</sup> respondent issued the order of suspension pending enquiry and the petitioner herein already submitted his explanation on 03.03.2016 in response to the charge sheet and the petitioner herein is not entitled for any relief as the enquiry is pending.

5. Though a number of grounds have been urged in the affidavit filed in support of the writ petition apart from the contentions of learned counsel for the petitioner, having regard to the nature of controversy, this Court is not inclined to go into the said aspects and this Court deems it appropriate to direct the 2<sup>nd</sup> respondent herein to finalise the enquiry initiated pursuant to the charge sheet dated 24.02.2016 by fixing some timeframe.

6. For the aforesaid reasons, Writ Petition is disposed of, directing the 2<sup>nd</sup> respondent herein to complete the enquiry initiated against the petitioner pursuant to the charge sheet dated 24.02.2016, within a period of six weeks from the date of receipt of a copy of this order, in accordance with law, subject to the cooperation of the petitioner. It is also made clear that in the event of failure to finalise the enquiry as mentioned supra, the petitioner herein shall be reinstated into service.

7. Miscellaneous petitions pending consideration, if any, in the Writ Petition shall stand closed in consequence. No order as to costs.

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**A.V.SESHA SAI, J**

09.03.2016

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