

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No. 22300 of 2016

Order:

The petitioner was initially appointed as a Contract Conductor in the year 2006 in Miyapur-II Depot. His services were regularized in the year 2012 and he was transferred to Karimnagar Region. Now he is working in Jagtial Bus Depot in Karimnagar District. On 28.05.2016 while he was performing duty at 8.40 hours in Khammam Service Bus bearing No.AP-15Z-0125 on the route Khammam at Stage No.6, a check was conducted and ticket irregularity was noticed. A charge memo was issued on 28.05.2016 and the petitioner submitted his explanation on 02.06.2016. The petitioner was placed under suspension on 03.06.2016. Challenging the order of suspension the present Writ Petition is filed.

2. The allegation against the petitioner reads as follows.

“Having collected the ticket fare Rs.104/- from a passenger, who boarded your bus at Warangal to travel up to Jagtial ex-stages 10 to 01. But, you have issued worth of Rs.65/- ticket bearing No.TNA/35046 from Warangal to Karimnagar by collecting Rs.104/-. Thus, you have issued less tickets worth of Rs.41/- (including cess tickets), which constitutes misconduct under Reg.(vi)(a) of APSRTC Employees (Conduct) Regulations 1963.”

3. The petitioner submitted his explanation stating that since the passenger requested him to give ticket to the extent of money possessed by him, on humanitarian grounds he issued ticket and collected the amount under the ticket.

4. However, this Court is not inclined to consider either the charge or the explanation, as the matter has to be decided in the enquiry. In the circumstances, the Writ Petition is disposed of directing the respondents to conduct an enquiry as per the allegations in the light of the explanation submitted by the petitioner and pass appropriate

orders thereon within a period of 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 for completion of the enquiry.

5. The Writ Petition is, accordingly, disposed of. There shall be no order as to costs.

6. As a sequel thereto, the miscellaneous applications, if any, pending in this Writ Petition shall stand closed.

A.
Date: 11.07.2016
Nsr

RAMALINGESWARA RAO, J