

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.31052 of 2015

ORDER:

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The case of the petitioner is that by way of impugned proceedings, he was imposed major penalty of withholding annual increments for a period of two years, which shall have the effect of future increments without conducting departmental enquiry and without following APSRTC (CC&A) Regulations, Circular dated 19-02-1999.

Heard learned counsel for the petitioner and Sri P.Durga Prasad, Learned Standing Counsel for respondents.

Learned counsel for the petitioner relied on a judgment of this Court dated 23-03-2015 passed in WP.No.5015 of 2016. Perusal of the impugned order goes to show that straightaway show-cause notice was issued to the petitioner and after submission of explanation, major penalty was imposed.

It is well settled that withholding of increments, which have cumulative effect is a major penalty. In view of the same without conducting regular departmental enquiry, the same cannot be imposed. With the said reasoning, WP.No.5015 of 2016 is also disposed of. Following the same, the impugned proceedings are modified and the same is modified as stoppage of annual increments without cumulative effect. It is also made clear that the

petitioner is not entitled for any monetary benefits.

In view of the same, the writ petition is allowed to the extent indicated above. As a sequel thereto, miscellaneous petitions, if any, pending in this Writ Petition, shall stand closed.

A.RAJASHEKER REDDY,J

21-04-2016

Nvl

