

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.16058 of 2017

ORDER:

Petitioner is a Conductor. By order, dated 10.04.2017, he is placed under suspension on the ground that petitioner collected an amount of Rs.3,310/- from passengers and illegally gratified Rs.135/-. He challenges the said suspension in this Writ Petition.

The allegation against petitioner is, he collected excess amount of Rs.135/- from the passengers.

Learned counsel for petitioner submits that allegation levelled against petitioner is false and petitioner is not responsible to collect such amount and in fact, ATB Agent also stated that excess amount was not collected by petitioner.

These are all issues which require consideration by the disciplinary authority or higher authority. *Prima facie*, from a reading of the order, it cannot be said that there was no application of mind by the disciplinary authority and that the Depot Manager is not competent to place petitioner under suspension.

At this stage, learned counsel for petitioner seeks leave of this Court to submit representation/appeal to the higher authority

against his suspension from service. If such representation/appeal is filed, the appellate authority shall consider and pass appropriate orders as warranted by law, within a period of four weeks from the date of such representation/appeal.

Writ Petition is accordingly disposed of.

Pending miscellaneous applications, if any, shall stand closed in consequence.

28th APRIL, 2017.

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P. NAVEEN RAO, J

