

HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.41161 OF 2017

Date: 06.12.2017

Between:

G.S.S.Suresh, S/o. Somaiah, Aged about 45 years,
Divisional Manager of Warangal Region of TSRTC,
L.B.Nagar, Hyderabad.

.... Petitioner

AND

Managing Director, Telangana Road Transport
Corporation, Bus Bhavan, Musheerabad,
Hyderabad.

.... Respondent



The Court made the following:

HON'BLE SRI JUSTICE P.NAVEEN RAO

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ORDER:

Petitioner is working as Divisional Manager in the respondent-Corporation. Petitioner is aggrieved by the show-cause notice, dated 24.11.2017, calling for explanation against proposed punishment of removal from service.

2. Extensive submissions are made by the learned counsel for petitioner and learned standing counsel for respondent. In view of the order that Court proposes to pass, the Court is not recording the contentions urged and both counsel agree for disposal of the writ petition. Suffice to note, it is contended by the learned counsel for petitioner that show-cause notice reads as final decision arrived at by the disciplinary authority and, therefore, petitioner may not be able to persuade the disciplinary authority to accept his contentions and to not to pass order of removal as proposed in the show-cause notice and, therefore, grave prejudice would be caused to him.

3. A reading of the show-cause notice would show that after accepting the findings recorded by the enquiry authority, the disciplinary authority proposed to impose punishment of removal and calls upon the petitioner to explain why such removal should not be imposed. He was also accorded opportunity of personal hearing.

4. However, since learned counsel for petitioner expressed apprehension as to the fairness in considering the objections of the petitioner and to persuade disciplinary authority not to impose the

punishment at all, whereas show-cause notice would go to show that punishment proposed is removal from service, the Court directs the disciplinary authority to afford personal hearing to the petitioner on the date fixed in advance. Petitioner shall file his explanation to the show-cause notice before the disciplinary authority within ten days from today. On consideration of the explanation filed, if any, and the submissions made during the course of personal hearing, the disciplinary authority shall pass appropriate orders as warranted by law including taking disciplinary action *per se* and on imposing appropriate punishment, uninfluenced by the observations and the proposal to impose punishment of removal made in the show-cause notice.

5. Writ petition is disposed of accordingly. There shall be no order as to costs. Miscellaneous petitions if any pending shall stand closed.

Date : 06.12.2017

JUSTICE P.NAVEEN RAO

Note: Issue CC in two days.

(B/o.)

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