

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No. 42410 of 2017

Order:

The petitioner is a Driver in the respondent Corporation. It is his case that after completing duty on 22.11.2017 he kept the bus at Garage and went to his house to take rest. 23.11.2017 was a duty off day and he was supposed to conduct a regular service from Chandalur to BHEL and return. On 23.11.2017, while he was taking rest in his house, it is stated that the respondent and the Union leaders forcibly allotted him Srisailam service at 14.00 hours in the place of one Sk. Masthan, Driver. He went to the depot and at the gate he was tested for alcohol consumption and it revealed 0.62%. In that connection, he was kept under suspension and a charge sheet was issued on 24.11.2017. Challenging the order of suspension dated 24.11.2017, the present Writ Petition is filed.

Though the learned counsel for the petitioner submitted that the petitioner was not at all responsible for taking out the bus and he was not willing to take the bus on that day, a reading of the statement made by the Security Guard clearly shows that he signed the duty chart and log sheet on that day when he was in intoxicated condition.

In the circumstances, this Court is not inclined to interfere with the order of suspension, but directs the third respondent to complete the enquiry against the petitioner as expeditiously as possible, but not later than one month from the date of receipt of a copy of this order.

The Writ Petition is, accordingly, disposed of. However, the observations made in this order shall not influence the enquiry, as they are *prima facie* findings based on the record. There shall be no order as to costs.

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

A. RAMALINGESWARA RAO, J

Date: 13.12.2017  
Nsr

