

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.NO.23359 OF 2002

ORDER:

Petitioner was working as conductor in the respondent – corporation. He was charged sheeted for unauthorized absence and in the inquiry, he was found guilty and eventually, the Depot Manager of the Corporation, vide proceedings dated 05-03-1997 removed the petitioner from service. Aggrieved by the same, petitioner filed appeal before the appellate authority and by impugned proceedings No. PA/20(47)/97-DY.CTM;MBNR dated 19-04-1997 the 2nd respondent – Deputy chief Traffic Manager, Mahabubnagar, the appellate authority, modified the punishment and ordered for reinstatement of the petitioner into service without back wages and without attendant benefits and further ordered for deferment of annual incremental for period of two years with cumulative effect. Aggrieved by the deferment of annual grade increment for a period two years with cumulative effect, the present writ petition is filed.

Learned counsel for the petitioner submits that this court in similar facts and circumstances in W.P.No.20089 of 2009 dated 03-10-2018 modified the punishment imposed by the appellate authority to that of reduction of pay by two incremental stages for a period of two years without cumulative effect. Further this court held that the modified punishment is without any monetary benefit. He submits that similar order may be passed in the present writ petition.

Learned Standing Counsel for the respondent – Corporation does not dispute the same.

In view of order dated 03-10-2018 in W.P.No.20089 of 2009 and for the reasons alike, the present writ petition is disposed of modifying the impugned punishment to the effect that the deferment of annual grade increment for two years shall not have cumulative effect. It is made clear that the above modified punishment is without any monetary benefits. No order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

Date: 10/12/2018
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