

**THE HON'BLE SRI JUSTICE P.NAVEEN RAO**

**WRIT PETITION No.36022 OF 2018**

**DATED :08.10.2018**

Between :

Smt. A. Renuka,  
E-801610, Conductor,  
D/o.Nagappa, Aged 31 yrs,  
Narayankhed Depot, R/o.Narayankhed,  
Medak District, Telangana.

..

Petitioner

And

The T.S.R.T.C.,  
Rep. by its Managing Director,  
Musheerabad, Hyderabad, Telangana & others.

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Respondents



This court made the following:

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**ORDER :**

Heard learned counsel for the petitioner and Sri N.Vasudeva Reddy, learned Standing counsel for TSRTC.

2. The disciplinary action initiated against the petitioner resulted in punishment of removal from service by order dated 31.10.2017. Petitioner was unsuccessful before the appellate authority also. In the review petition filed by the petitioner, the Regional Manager, while upholding the disciplinary action, modified the punishment imposed to that of Direct appointment as 'Reappointed as afresh Conductor' subject to terms and conditions.

3. The Service Regulations do not prescribe imposing punishment of re-appointment as afresh candidate. As the reviewing authority exercising quasi-judicial power, sitting over the order of punishment imposed by the disciplinary authority affirmed by the appellate authority, he can pass orders imposing appropriate punishment as prescribed in the Service Regulations. In several decisions, this Court found fault with the punishment imposed by the reviewing authority in a similar manner. However, the respondent Corporation continued to pass such orders.

4. Learned Standing counsel also fairly submits that the punishment imposed is not sustainable.

5. Though in W.P.No.37079 of 2015 this Court substituted the punishment instead of remanding the matter, in the facts of this case, at this stage, this Court is not inclined to exercise such discretion. Hence, the matter is remitted for consideration by the reviewing authority. The revision filed by the petitioner refers to imposing of appropriate punishment.

6. Accordingly, the Writ Petition is allowed setting aside the order dated 15.06.2018 imposing the punishment of 'Reappointed as afresh Conductor' and the matter is remitted for consideration afresh. It is also open to the reviewing authority to take into consideration the decision made by this Court in W.P.No.37079 of 2015. The reviewing authority shall pass appropriate orders by assigning due reasons, within a period of six (6) weeks from the date of receipt of a copy of this order.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

Date:08.10.2018

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**P.NAVEEN RAO,J**