

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.8526 OF 2007

Dated:24.02.2020

Between:

K.V. Ram, E-303559, Conductor,
S/o. Dhamda, 43 years, Banswada
Depot, R/o. Banswada, Nizamabad District .. Petitioner

And

The Regional Manager, APSRTC,
Nizamabad District and others .. Respondents



This Court made the following:

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.8526 OF 2007

ORDER:

Heard learned counsel for the petitioner and learned standing counsel for APSRTC appearing for the respondents.

2. This writ petition is filed to declare the action of the respondents in imposing punishment of deferment of annual increment for a period of six months with cumulative effect vide proceedings dated 22.12.1992, as illegal and unjust. The said order of punishment is challenged on the ground that it is a major punishment and was not preceded by enquiry and due opportunity of hearing.

3. Learned standing counsel for the respondent – Corporation does not dispute the contention that there was no enquiry conducted before imposing punishment of withholding increment with cumulative effect for a period of six months.

4. Admittedly, no such punishment can be imposed without following due process. However, having regard to the fact that punishment was imposed in the year 1992 and writ petition was instituted in the year 2007, this Court is not inclined to remand the matter to the disciplinary authority. However, the Court is inclined to give quietus to the litigation by modifying the punishment to that of deferment of annual increment for a period of six months without cumulative effect.

5. Accordingly, the writ petition is disposed of and the order of punishment of deferment of annual increment for a period of six

months is modified to that of without cumulative effect. There shall be no order as to costs. Pending Miscellaneous Petitions, if any, shall stand closed.

P. NAVEEN RAO, J

Date:24.02.2020

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