

**HIGH COURT FOR THE STATE OF TELANGANA  
AT HYDERABAD  
(Special Original Jurisdiction)**

**TUESDAY, THE TWELFTH DAY OF DECEMBER  
TWO THOUSAND AND TWENTY THREE**

**PRESENT**

**THE HON'BLE SMT JUSTICE JUVVADI SRIDEVI**

**WRIT PETITION NO: 24056 OF 2011**

**Between:**

Sd. Ismail, S/o.Late Syed Kareem Ex. Cond., E.No. 303348 R/o. 9-17-137,  
Near Ghani Majeed, Asmi Colony, Nizamabad.

**...PETITIONER**

**AND**

1. The Depot Manager, APSRTC, Nizamabad II, Nizamabad.
2. The Divisional Manager, APSRTC,, Nizamabad.
3. The Regional Manager, APSRTC,, Nizamabad.

**...RESPONDENTS**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate writ or direction particularly one in the nature of writ of Certiorari, quash the impugned award dated 27.07.2009 made in I.D.No.134 of 2007, published on 22.09.2009 on the file of the Labour Court II, Hyderabad in not granting any relief as illegal, unjust, arbitrary, in violation of Articles 14, 16 and 21 of the Constitution of India and consequently the petitioner pray this Honble Court to direct the respondents to reinstate the petitioner into service along with all consequential benefits including back wages in the interest of justice and fair play.

**Counsel for the Petitioner: SRI V. NARASIMHA GOUD**

**Counsel for Respondents: THOOM SRINIVAS (SC FOR TSRTC)**

**The Court made the following: ORDER**

**THE HON'BLE SMT. JUSTICE JUVVADI SRIDEVI**

**WRIT PETITION No.24056 of 2011**

**ORDER:**

Petitioner has questioned the order, dated 27.07.2009 passed by Labour Court-II, Hyderabad dismissing I.D.No.134 of 2007, which was filed questioning the orders terminating the petitioner from service.

2. I have heard the submissions of Sri V.Narsimha Goud, Learned Counsel for the petitioner and Sri Thoom Srinivas, learned Standing Counsel appearing for Respondents and perused the record.

3. Petitioner was working as a Conductor in the respondents-Corporation. A charge memo was issued to him alleging that he had issued three used tickets to three passengers while conducting the bus on 25.07.2006. Thereafter, an inquiry was conducted into the matter and ultimately he was removed from service. The appeal and revision filed by the petitioner were ended in dismissal and thereupon, he had approached the Labour Court with the above I.D. The Labour Court, on considering the material before it, has dismissed the I.D. vide impugned order.

4. The allegation against the petitioner is that while he was on duty conducting bus No.9967 from Nizamabad to Nirmal on

25.07.2006, a check was exercised, during which, it was found that he had collected Rs.36/- from three individual passengers @Rs.12/- each, who boarded the bus at Armoor and issued them three tickets of Rs.12/- denomination which were already issued to some other passengers in the earlier trip. On finding such irregularity, the respondents have recorded the statements of the three passengers concerned and during the process, the petitioner had snatched the said tickets and torned them into pieces. The only ground urged by the petitioner before the Labour Court was that the inquiry was not conducted as per procedure and that the proceedings were conducted in Telugu language, with which he was not conversant as he studied in Urdu medium.

5. The Labour Court, taking into consideration the contentions raised before it, has observed in its impugned order that the statements of the passengers were recorded in the presence of the petitioner himself and the petitioner, without any objection with regard to the language, had attested the said statements. It was also observed in the order that the respondents have established the factum of the petitioner turning away the tickets in question into pieces, as the same were produced before it in a sealed cover. Further, it is to be seen that after his termination, the petitioner had claimed the terminal benefits like gratuity, P.F. and SRBS amounts,

which were already paid to him and the petitioner had received the same without any protest. Considering all these aspects, the Labour Court has declined to interfere in the matter and dismissed the ID.

6. Having perused the reasons assigned by the Labour Court while dismissing the ID filed by the petitioner, this Court is of the considered view that the petitioner, except making bald allegations that the inquiry was not properly conducted and that he was not conversant with Telugu language, has failed to establish the same with cogent evidence. He has participated in the inquiry all through and had filed appeal and revision prior to the ID and hence, he cannot take such grounds at a later stage. Further, he has already received the terminal benefits by claiming the same on his own, and hence, this Court is of the considered view that there are no grounds to interfere with the impugned order passed by the Labour Court.

7. The writ petition is accordingly dismissed. No costs.

Pending miscellaneous applications, if any, shall stand closed.

SD/- K. AMMAJI  
ASSISTANT REGISTRAR

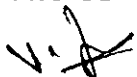
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SECTION OFFICER

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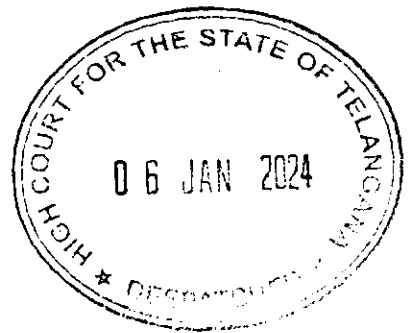
1. One CC to Sri V Narasimha Goud Advocate [OPUC]
2. One CC to Sri Thoom Srinivas (SC FOR TSRTC) Advocate [OPUC]
3. Two CD Copies

MBC  
GJP



**HIGH COURT**

**DATED: 12/12/2023**



**ORDER**

**WP.No.24056 of 2011**

**DISMISSING THE WRIT PETITION**

**WITHOUT COSTS**

⑥ VW  
29/12/23