HC-KAR
CNR: KAHC010010382023

NC: 2026:KHC:61398
WP No. 398 of 2023

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 4TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE H.T. NARENDRA PRASAD

WRIT PETITION NO. 398 OF 2023 (S-KSRTC)

BETWEEN:

MANMATHA
S/O RAMAIAH
AGE 61 YEARS
R/AT NO. 1095, TUDA LAYOUT
ARALIMARADAPALYA
NEAR PLEGAMMA TEMPLE
SIRA GATE, TUMKURU-572 106.

…PETITIONER

(BY SRI. SHEKAR L., ADVOCATE)

AND:

1. THE DIVISIONAL CONTROLLER
   K S T C, TUMKUR DIVISION
   TUMKUR-572101.

2. CHIEF PLANNING AND
   STATISTICAL OFFICER
   K S R T C, CENTRAL OFFICES
   K H ROAD, BENGALURU-560027.

…RESPONDENTS

(BY SMT. RENUKA H R., ADVOCATE FOR R1 & R2)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE IMPUGNED PUNISHMENT ORDER BEARING NO: ಕರಾಸ/ತುವಿ/ಶಿಶಾ/ತಮ/ಘ–1/1677/20/3082/21-22 DATED 31.03.2022

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PASSED BY THE R1 VIDE ANNEXURE-A AND ALSO THE APPELLATE AUTHORITY ORDER DATED 28.07.2022 PASSED BY THE R2 VIDE ANNEXURE-B TO THE WRIT PETITION DIRECT THE RESPONDENT CORPORATION TO RESTORE THE INCREMENT WHICH WAS REDUCED IN TERMS OF ANNEXURE-A AND PAY ALL CONSEQUENTIAL RETIREMENT BENEFITS.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE H.T. NARENDRA PRASAD

ORAL ORDER

This writ petition is filed under Articles 226 and 227 of the Constitution of India, challenging the order dated 31.03.2022 passed by the first respondent, vide Annexure-A, whereby the penalty of withholding one annual increment for a period of one year without cumulative effect has been imposed on the petitioner and the order dated 28.07.2022 passed by second respondent, vide Annexure-B, rejecting the appeal filed against the order of the first respondent.

2. The petitioner was working as an Artisan in the establishment of the first respondent-Corporation. During his service, a departmental enquiry was conducted against

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him, pursuant to which the penalty of withholding one annual increment for a period of one year without cumulative effect was imposed on him, vide order dated 31.03.2022 at Annexure-A. Aggrieved by the said order, the petitioner preferred an appeal which came to be dismissed vide order dated 28.07.2022 at Annexure-B.

3. The petitioner retired from service on 31.07.2022, within four months from the date of passing of the impugned order. Since the penalty imposed is withholding of one annual increment for a period of one year without cumulative effect, the same cannot be given effect to beyond the date of his retirement. Therefore, the impugned order dated 31.03.2022, vide Annexure-A, is modified to the extent that the penalty shall operate only up to the date of the petitioner's retirement, i.e., 31.07.2022. The terminal benefits to which the petitioner is entitled to, in accordance with law, shall be released in favour of the petitioner.

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4. With the aforesaid modification, the writ petition stands disposed of.

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(H.T. NARENDRA PRASAD)
JUDGE

CM
List No.: 1 Sl No.: 38