HC-KAR
CNR: KAHC010338032023

NC: 2026:KHC:61429
WP No. 14477 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. 14477 OF 2023 (S-KSRTC)

BETWEEN:

MAHADEVAPPA. V
S/O VENKATARAMAIAH
AGE 58 YEARS
R/AT NO. 10443, KSRTC
1ST DEPOT, TUMKUR

…PETITIONER

(BY SRI. SHEKAR L., ADVOCATE)

AND:

1. THE DIVISIONAL CONTROLLER
K.S.R.T.C., TUMKUR DIVISION
TUMKUR-577201.

2. CHIEF PLANNING AND STATISTICAL OFFICER
K.S.R.T.C, CENTRAL OFFICES
K.H.ROAD, BENGALURU - 560 027.

…RESPONDENTS

(BY SRI. SANJEEV B L., ADVOCATE R1 AND R2)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 27 OF THE CONSTITUTION OF INDIA PRAYING TO-QUASH THE IMPUGNED PUNISHMENT ORDER BEARING NO: ಕರಾಸ/ತುವಿ/ಸಂ/ಅಪ/23/21-22/1217/22-23 DATED: 16.08.2022 PASSED BY THE R1 VIDE ANNEXURE-A AND ALSO THE APPELLATE AUTHORITY ORDER NO: ಕರಾಸ/ಕೇಕ/ಯೋಅಂಅಂ/124/2022-23 DATED:

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HAREKOPPA THIMMANNA GOWDA

13.01.2023 PASSED BY THE R2 VIDE ANNEXURE-B TO THE WRIT PETITION AND ETC.

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 16.08.2022 passed by the first respondent, vide Annexure-A, imposing the penalty of withholding one annual increment for a period of three years without cumulative effect, and the order dated 13.01.2023 passed by the second respondent, vide Annexure-B, reducing the period of penalty from three years to two years.

2. The petitioner was working as a Conductor in the respondent-Corporation. On the allegation of misconduct, the disciplinary authority, after conducting a departmental enquiry, passed an order dated 16.08.2022, vide Annexure-A, imposing the penalty of withholding one

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annual increment for a period of three years without cumulative effect. Aggrieved by the said order, the petitioner preferred an appeal before the appellate authority, which modified the penalty by reducing its duration from three years to two years.

3. The main grievance of the petitioner is that he retired from service on 31.07.2024 and, therefore, the penalty imposed by the disciplinary authority, as modified by the appellate authority, cannot be given effect to beyond the date of his retirement. The penalty, which took effect from 16.08.2022, was imposed for a period of two years and would ordinarily remain in operation until 16.08.2024, whereas the petitioner retired from service on 31.07.2024.

4. Since the period of penalty extends beyond the date of retirement of the petitioner, the impugned penalty order, as modified by the appellate authority, is further modified to the extent that the penalty shall operate only

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up to the date of the petitioner's retirement, i.e., 31.07.2024. The terminal benefits to which the petitioner is entitled in accordance with law shall be released in his favour.

5. 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.: 66