



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3457]

TUESDAY, THE TWENTY SEVENTH DAY OF JANUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 9751/2013

Between:

1.A.N. RAO,, S/O. LATE GOVINDA RAO, AGED 58 YEARS, OCC:
AMF/VZM/ZWS RIO. D.NO. 52-2-2, RASAVANIPALEM,
VISAKHAPATNAM DISTRICT.

...PETITIONER

AND

1.THE DY CHIEF MECHANICAL ENGINEER APSRTC,
VISAKHAPATNAM VISAKHAPATNAM DISTRICT.

2.THE REGIONAL MANAGER A P S R T C, VISAKHAPATNAM,
VISAKHAPATNAM DISTRICT.

3.3 THE EXECUTIVE DIRECTOR VIZIANAGARAM ZONE,
VISAKHAPATNAM DISTRICT.

4.A P S R T C REP BY ITS VICE CHAIRMAN MANAGING DIRECTOR,
MUSHEERABAD, HYDERABAD, A.P.

...RESPONDENT(S):

Counsel for the Petitioner:

1.T S VENKATARAMANA

Counsel for the Respondent(S):

1.K SRINIVASA PRASAD SC For APSRTC

2..

The Court made the following:

ORDER:-

The petitioner is challenging the order of the Regional Authority dated 20.07.2011. The petitioner was initially issued a charge memo, whereby three charges were framed against the petitioner. The Enquiry Officer found the petitioner guilty of one charge and accordingly, the petitioner was imposed the punishment of deferments of annual increment for a period of one year, which shall have effect on postponing his future increments. Aggrieved by the said order, the petitioner filed the revision before the Regional Authority. The Regional Authority, vide order dated 20.07.2011, on humanitarian grounds refused the punishment by deferring the annual increment for a period of six months which shall have the effect on postponing his future increments.

2. Learned counsel appearing for the respondent authority submits that the petitioner participated in the enquiry and the enquiry officer extended the petitioner all opportunities of submitting his defence and that the Regional Authority had accordingly considered the issue in totality and keeping in view the satisfactory record maintenance by the petitioner for the last 35 years has modified the punishment. It is further submitted that the petitioner has attained the age of superannuation long back and insofar as Charge No.1 is concerned, it was proved and the petitioner ought to have approached the Industrial Tribunal-cum-Labour Court for adjudication of the dispute.

3. Heard the learned counsel for the petitioner and the learned counsel appearing for the respondents.

4. Perused the record.

5. The short point for consideration is whether the petitioner has made out a prima facie case for interference with the order passed by the Regional Manager dated 20.07.2011, whereby the Revisional authority had modified the initial punishment and reduced the same by deferring the annual increment of the petitioner for a period of six months, which shall have effected on postponing his future increments.

6. As seen from the record, the Enquiry Officer has conducted a proper enquiry and recorded the statements of the concerned staff. It is also evident from the record that the petitioner ought to have approached the competent Labour Court-cum-Industrial Tribunal challenging the order passed by the Regional authority. The Labour Court-cum-Industrial Tribunal could have been the appropriate authority to consider the issue on facts and give a finding on effect. Considering the petitioner not approaching the Labour Court-cum-Industrial Tribunal, this Court is not inclined to interfere with the impugned proceedings and give finding on fact.

7. On these considerations, the writ petition is dismissed. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE HARINATH.N

Date.27.01.2026
SR