

**HIGH COURT OF JUDICATURE FOR RAJASTHAN BENCH AT
JAIPUR**

S.B. Civil Writ Petition No. 22938 / 2017

Bhagawan Sahai Todawata

-----Petitioner

Versus

R S R T C And Ors

-----Respondent

For Petitioner(s) : Mr.Kailash Choudhary, Adv.

For Respondent(s) : Mr.Om Prakash Sheoran, Adv.

HON'BLE MR. JUSTICE ASHOK KUMAR GAUR

Order

16/02/2018

One of the contention raised by the learned counsel for the petitioner is that petitioner was issued a charge-sheet in respect of carrying passengers without ticket and after holding enquiry, the petitioner has been removed from service by impugned order and his appeal has also been dismissed by the Appellate Authority. The counsel has submitted that the other persons, who were issued similar charge-sheet carrying the passengers without ticket, were tried in the departmental enquiry and in some cases they have either been completely exonerated or penalty to the tune of 2% of the salary for the period of six months has been imposed. The counsel has placed on record copy of these orders passed by the same Authority-Chief Manager, Kota.

Issue notice to the respondents.

Mr. Om Prakash Sheoran, who is penal lawyer for RSRTC, is present in the Court and he is directed to accept notice on behalf

of the respondents. Counsel for the petitioner undertakes to supply copy of the writ petition to Mr.Sheoran during the course of the day.

Mr.Sheoran is also directed to seek instructions from the highest Authority of the Corporation as in what manner different penalty orders are passed by the Disciplinary Authorities in respect of the same charges. Mr.Sheoran will also ensure the proper affidavit of the highest Authority of the Corporation to explain the conduct of the Disciplinary Authorities, who are dealing with the same set of employees by imposing different punishments. The reply and required affidavit may be filed within 15 days.

List this case on 5th March, 2018.

(ASHOK KUMAR GAUR) J.

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