

IN THE HIGH COURT OF JUDICATURE, ANDHRA
PRADESH
AT HYDERABAD

TUESDAY, THE THIRTIETH DAY OF JUNE
TWO THOUSAND AND NINE

PRESENT
THE HON'BLE MRS JUSTICE T.MEENA KUMARI
AND
THE HON'BLE MR JUSTICE SANJAY KUMAR

WRIT APPEAL NO. 908 OF 2009

(Writ Appeal under Clause 15 of the Letters Patent
against the Order dated 30/10/2008 in WP NO : 17698
OF 2000 on the file of the High Court.)

Between:

- 1 The A.P.S.R.T.C.,
 Nizamabad Region, Rep by its Regional Manager
 Nizamabad.
- 2 The A.P.S.R.T.C. Bus Depot Rep by its Depot
Manager
 Kamareddy, Nizamabad District.

..... APPELLANTS

AND

Y. Ranga Reddy S/o. Late Narayana Reddy
R/o. 5-8-111/10/D, Ashok Nagar Colony,
Kamareddy, Nizamabad District.

.....RESPONDENT

Counsel for the Appellant:SMT.B.G.UMA DEVI

**Counsel for the Respondent No.: MR.V.NARASIMHA
GOUD**

The Court made the following :

ORAL JUDGMENT: *(per the Hon'ble Sri Justice Sanjay Kumar)*

In this writ appeal, the Andhra Pradesh State Road Transport Corporation, respondent in the Writ Petition, seeks to challenge the order dated 30.10.2008 in W.P. No. 17698 of 2000. By the said order, the learned Judge modified the punishment imposed by the A.P. State Road Transport Corporation on the respondent herein from deferment of his increment for a period of one year which shall have its effect on future increments to that of stoppage of increment for a period of one year simpliciter without any effect on his future increments and pay.

The learned Judge took note of the fact that no enquiry report was furnished to the petitioner and no second show cause notice was issued to him before imposing the penalty afore-stated. Stoppage of increments which will have effect on future increments, as held by the Supreme Court in *Kulwant Singh Gill Vs. State of Punjab* (1991 Supp(1) SCC 504), is a major punishment and accordingly imposition of the same on the petitioner without following the due procedure is unsustainable. In such circumstances, the learned Judge very rightly modified the punishment to that of

stoppage of the increment for a period of one year simpliciter without effect on future increments and pay. We do not find any reason to interfere with the order passed by the learned Single Judge.

The Writ Appeal is devoid of merits and is accordingly dismissed. No order as to costs.

Justice T.Meena Kumari

Justice Sanjay Kumar

June 30, 2009
MAS.