IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF JUNE, 2021

BEFORE

THE HON'BLE MR.JUSTICE P.B. BAJANTHRI

WRIT PETITION NO.38800/2017 (S-KSRTC)

BETWEEN:

C.S. RAGHUNATHAGUPTA
S/O R.K. CHALUVAIAH,
AGE 57 YEARS, TRAFFIC
CONTROLLER, B.M.T.C .,
TTMC BUS STAND,
YESHWANTHAPURA,
BENGALURU - 560 022   … PETITIONER

(BY SRI. SHEKAR L., ADVOCATE)

AND:

THE DIVISIONAL CONTROLLER,
B.M.T.C., NORTH REGION,
CENTRAL OFFICE, K.H. ROAD,
BENGALURU - 560 027   ... RESPONDENT

(BY SRI. HAREESH BHANDARY, ADVOCATE)

THIS WRIT PETITION FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT THE RESPONDENT CORPORATION TO CONSIDER THE PETITIONER'S REPRESENTATION DTD.21.9.2016 VIDE ANNEX-B AND ETC.,

THIS PETITION COMING ON FOR FURTHER PRELIMINARY HEARING - B GROUP PHYSICAL HEARING / VIDEO CONFERENCING HEARING (OPTIONAL), THIS DAY, THE COURT MADE THE FOLLOWING:-

ORDER

In the instant petition petitioner has prayed for the following reliefs:

(i)   *Issue a writ or order in the nature of mandamus directing the Respondent Corporation to consider the petitioner's representation dated 21.9.2016 as per Annexure-B.*

(ii)   *Pass such other orders as the petitioner is entitled to in the facts and circumstances of the case, including the costs of the proceedings in the interest of justice and equity.*

2.   In the representation, grievance of the petitioner is to restoration of annual increment after penalty spent its force.

3.   Learned counsel for the respondent on instructions submitted that petitioner is not entitled to the relief sought in his representation at Annexure-B dated 21.09.2016. Such oral statement cannot be appreciated unless there is a speaking order on behalf of the competent authority.

4.   Therefore, the concerned respondent is hereby directed to pass a speaking order on the petitioner's grievance at Annexure-B dated 21.09.2016 within a period of three

months from the date of receipt of this order and communicate

the decision to the petitioner at the earliest.

Sd/-
JUDGE

BS