

(2021) 06 KL CK 0120
In the High Court Of Kerala
Case No : Writ Petition (C) No. 8483 Of 2021

E.P.Mohammed Haris

APPELLANT

Vs

Kerala State Road Transport Corporation

RESPONDENT

Date of Decision : 09-06-2021

Acts Referred:

Citation : (2021) 06 KL CK 0120

Hon'ble Judges : C. S. Dias, J

Bench : Single Bench

Advocate : C.M.Ebrahim, T P Sajan

Final Decision : Disposed Of

Judgement

C.S.Dias, J

1. The petitioner had entered service of the 1st respondent Corporation as a driver on 15.5.2008 is aggrieved by inordinate delay on the part of the respondents in finalizing the disciplinary proceedings initiated against him.

2. The case of the petitioner is that while he was driving a bus of the 1st respondent Corporation on 12.05.2015, the vehicle met an accident. On the basis of Ext.P1 preliminary enquiry conducted by the respondents, the petitioner was suspended from service as per Ext.P2. Later, he was reinstated

on 13.8.2015. However, the petitioner was served with Ext.P3 charge sheet to which the petitioner submitted Ext.P4 statement of defence. Even

though Ext.P5 detailed enquiry report was submitted on 1.3.2016 without any finding against the petitioner, the 2nd respondent is proposing to impose

the punishment of withholding of increment for one year on the petitioner as per Ext.P6. Petitioner has submitted Ext.P7 reply notice as early as on

4.10.2019. Nevertheless, the respondents have not finalised the disciplinary

proceedings till date, which is causing severe prejudice and hardship to the petitioner. Hence, the petitioner seeks for a direction to respondents to close the disciplinary proceedings within a time frame.

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

4. Taking into account the fact that the petitioner had submitted Ext.P7 reply to Ext.P6 show cause notice as early as on 4.10.2019 and that the

hearing has been concluded, it is only just and experient to direct the 2nd respondent to finalize the disciplinary proceedings within a time frame.

In the result, this writ petition is disposed of by directing the 2nd respondent to finalise the disciplinary proceedings initiated against the petitioner, as

expeditiously as possible and at any rate within a period of two months from the date of receipt of a copy of this judgment.