

R. Ravinaik vs the Divisional Controller

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Court : Karnataka Orders

Decided On : Jun-28-2024

Judge : Jyoti Mulimani

Appeal No. : WP/11006/2021

Appellant : R. Ravinaik

Respondent : The Divisional Controller

Judgement :

-1-

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF JUNE, 2024 BEFORE THE HON'BLE MS. JUSTICE JYOTI MULIMANI WRIT PETITION NO. 11006 OF 2021 (S-KSRTC) BETWEEN R.RAVINAIK S/O RUPANAIK, AGED ABOUT 48 YEARS, CHARGE MAN, CHIKKAMAGALURU, R/O KAMADOL STREET, CHIKKAMAGALURU TOWN-537 101. ...PETITIONER (BY SRI. RAHUL., ADVOCATE FOR SRI. SYED AKBAR PASHA., ADVOCATE) AND

1. THE DIVISIONAL CONTROLLER Digitally signed by AND DISCIPLINARY AUTHORITY, PREMCHANDRA KARNATAKA STATE ROAD MR

Location: High

TRANSPORT CORPORATION, Court of Karnataka

AND APPELLATE AUTHORITY, CHIKKAMAGALURU-577 101.

3. THE CHIEF STAFF MANAGER (DISCIPLINE)

AND REVISIONAL AUTHORITY, -2- K.H.ROAD, SHANTHINAGAR, BENGALURU-560 027. ...RESPONDENT (BY SMT. H.R.RENUKA., ADVOCATE) THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA, SEEKING CERTAIN RELIEFS. THIS WRIT PETITION IS COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, THE COURT MADE THE FOLLOWING:

ORDER

Sri.Rahul., learned counsel on behalf of Sri.Syed Akbar Pasha., for the petitioner and Smt.H.R.Renuka., learned counsel for the respondents have appeared in person.

2. The short facts are these: The petitioner is an employee of the Corporation and working as a Charge Man in Chikkamagaluru Depot. On 20.09.2017 he requested the authority concerned to release 90% of the PF amount. Thereafter the authority concerned considered the genuineness of the fact and released the PF amount of Rs.7,99,942/- (Rupees Seven Lakhs Ninety-Nine Thousand Nine Hundred and Forty-Two only) on 26.10.2017. The petitioner purchased a site from one Annegowda S/o.

-3-

Mastegowda through a registered sale deed dated 22.03.2018 in Sy. No.99/01 and to the extent of one Acre and four Guntas of land situated at Dantaramakki, Chikkamagaluru for valuable consideration of a sum of Rs.3,04,000/- (Rupees

Three Lakhs Four Thousand only). He intimated about the purchase of the property thereafter.

As the matter stood thus, the first respondent authority

issued a Charge Memo on 09.01.2019 alleging that the petitioner has violated Rules 14(2) and (3) of Conduct and Disciplinary Rules 1971 and has purchased the property without taking prior permission from the Department. He was called upon to explain the same. The petitioner contends that due to paucity of time, he was not able to intimate the Authority concerned officially. The Corporation passed an order of punishment dated 19.02.2019 by withholding Six months increment. The petitioner preferred an appeal and a revision.

The same were rejected orders dated:23.09.2019 and 22.02.2020. Under these circumstances, the petitioner has filed the present Writ petition on several grounds as set out in the memorandum of a Writ Petition. -4-

3. Learned counsel for the respective parties urged several contentions. Heard, the contentions urged on behalf of the respective parties and perused the Writ papers with utmost care.

4. The issue revolves around a narrow compass. The

petitioner purchases a property without prior permission. He is an employee of an esteemed corporation and is required to take prior permission. He has not done so. He has violated Rules 14(2) and (3) of Conduct and Disciplinary Rules 1971. Hence, the Corporation is justified in its action. The Writ Petition is devoid of merits and accordingly, it is rejected.

Sd/- JUDGE MRP List No.: 1 SI No.: 29

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