

**P. Jagannadham Vs. Presiding Officer, Industrial Tribunal-cum-labour Court, Warangal and anr.**

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**SooperKanoon Citation :** [sooperkanoon.com/438179](http://sooperkanoon.com/438179)

**Court :** Andhra Pradesh

**Decided On :** Nov-21-1997

**Reported in :** 1998(4)ALD3; 1998(4)ALT421

**Judge :** P. Venkatarama Reddy and ;A. Hanumanthu, JJ.

**Acts :** [Constitution of India](#) - Article 226

**Appeal No. :** W.P. No. 885 of 1990

**Appellant :** P. Jagannadham

**Respondent :** Presiding Officer, Industrial Tribunal-cum-labour Court, Warangal and anr.

**Advocate for Def. :** Mrs. A. Vyajanyanthi, SC for APSRTC

**Advocate for Pet/Ap. :** Mr. Vinaya Kumar, Adv.

**Judgement :**

ORDER

P. Venkatarama Reddi, J.

1. The petitioner who was a conductor in APSRTC challenges the award of the Industrial Tribunal-Cum-Labour Court, Warangal in I.D. No.95 of 1986 dated 19-2-1987. The Writ petition was dismissed for default on 4-12-1996. Today, we have allowed the petitioner's application for restoration and heard the writ petition on merits.

2, On an inspection of the bus, which the petitioner was conducting on 17-1-1979, some cash and ticket irregularities were found and the following six charges were framed:

(1) For having violated the rule 'Issue & Start'.

(2) For having failed to issue tickets to a batch of 5 passengers having boarded the bus at Husnabad stage No. 11 and bound for Koheda, Stage No. 16 despite collecting the requisite fare from them at their boarding point itself.

(3) For having failed to issue tickets to three passengers having boarded the bus at Pandilla (stage No.12) and bound for Koheda (stage No. 16) despite the requisite fare from them at their boarding point itself.

(4) For having failed to issue tickets to 12 passengers (in batches and individuals) having boarded the bus at Koheda Cross Roads (Stage No. 14) and bound for Koheda (stage No. 16) despite collecting the requisite fare from them at their boarding place itself

(5) For having failed to collect the fare and issue ticket to 4 passengers having boarded the bus at Koheda X-roads (Stage No. 14) and bound for Koheda (stage No. 16).

(6) For having closed the ticket tray numbers of all denominations in the S.R. upto stage No. 16 without completing the ticket issues.

3. In the domestic enquiry, the above charges were held proved and the petitioner was removed from service on 8-8-1979. The petitioner after exhausting me appeals raised the Industrial Dispute in I.D. No.95 of 1986. The Tribunal held that the removal was justified. Against this award, the present writ petition is filed.

4. At the time of check, 49 passengers were travelling in the bus out of whom 24 were not having tickets. Amongst 24 passengers, 20 passengers paid the fare but tickets were not issued. This is supported not only by the checking-official's report/ evidence as well as the passengers' statements. What is more, the petitioner closed the Statistical Return upto stage No.16. The Tribunal rightly found that but for the check, the amount collected could have been misappropriated by the petitioner. The spot explanation given by the petitioner was found to be vague and contradictory. We find no error of law or any substantial ground to interfere with the Award.

5. The Writ Petition is dismissed. No costs.

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