

THE HONOURABLE SRI JUSTICE K.SARATH

WRIT PETITION No.21310 of 2022

ORDER:

The petitioner seeking the following relief:

“...to issue any appropriate Writ, Order or Direction more particularly one in Nature of Writ of Mandamus declaring that the action of the respondent No.3 in recovering of Rs.2,02,000/- for each petitioner buses bearing Nos.TS 30T 8749 on the ground of producing the buses with delay before respondent authority is bad, arbitrary and illegal and against to principles of natural justice by setting aside the office orders dated 08.10.2021 of the respondent No.3 herein including circular dated 17.12.2019 of the respondent No.1 herein and direct the respondents to repay the recovered amounts to the petitioner in concerned with the above two buses related to the above office orders...”

2. Learned Counsel for the petitioner submitted that in identical matter, this Court allowed the Writ Petition in W.P.No.21609 of 2020 on 21.12.2020.

3. The Learned Standing Counsel appearing for the respondents fairly conceded that the aforementioned Writ Petition was allowed and against the said orders, the Respondent Corporation has filed Review Petition and the same is pending.

4. In view of the judgment passed by this Court in W.P.No.21609 of 2020 dated 21.12.2020, this Petition is also allowed by setting aside the impugned proceedings *vide*

No.E1/359(04)/2021-YGT dated 08.10.2021 by the respondent No.3 -the Depot Manager, Yadagirigutta Depot, imposing penalty of Rs.2,02,000/- for bus bearing Nos.TS-30T-8749 on hire basis as per the allotments letters and consequently the respondents are directed to permit the operation of the petitioner's hire buses TS-30T-8749 on hire basis by entering into agreement as per the allotment letter, without insisting for payment of penalty.

5. Accordingly this writ petition is allowed. No order as to costs.

6. Miscellaneous applications, if any pending, shall stand closed.

JUSTICE K.SARATH

Date:05.12.2022

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