



IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.14342 of 2026

Decided on: 24.08.2026

Sh. Naseeb Singh	... Petitioner
Versus	
Himachal Road Transport Corporation and others	... Respondents

Coram

Hon'ble Mr. Justice Ajay Mohan Goel, Judge.

Whether approved for reporting?¹

For the petitioner:	Mr. Rajat Kumar, Advocate.
For the respondents:	Mr. Abhishek Thakur, Advocate. Mr. Madan Sharma, Deputy General Manager (Legal), Himachal Road Transport Corporation, present in person.

Ajay Mohan Goel, Judge (Oral)

By way of this petition, the petitioners have, *inter alia*,
prayed for the following reliefs:-

- "The writ of certiorari or any other appropriate writ may kindly be issued, thereby the impugned Chargesheet dated 01.07.2024 ie. Annexure P-1 may kindly be quashed and set aside, in the interest of justice.*
- II. That writ of certiorari or any other appropriate writ may kindly be issued, thereby the impugned orders, dated 24.11.2024, 22.07.2025 and 28.07.2026 may kindly be quashed and set aside, in the interest of justice.*
- III. That writ of mandamus or any other appropriate writ may kindly be issued, directing respondents to restore and release the Annual Increment withheld by the respondents, along with all consequential benefits, including arrears of pay and allowances, refixation of pay and all other ED benefits flowing therefrom, along with*

¹ Whether reporters of the local papers may be allowed to see the judgment?

up-to-date interest @ 12 % per annum, in the interest of justice.”

2. When this case was listed on 20.08.2026, the following order was passed:-

“CWP No.14342 of 2026 & CMP No.21365 of 2026

Notice. Mr. Abhishek Thakur, learned Counsel, accepts notice on behalf of respondents.

Learned Counsel for the petitioner has referred to the Article of Charges which were framed against the petitioner, i.e. Annexure P-1, dated 01.07.2024 and submitted that the allegation against the petitioner was of depriving the Corporation of revenue to the tune of Rs. 90/- by carrying six ticketless passengers. He submitted that this Article of Charges has led to the infliction of punishment of withholding of three annual increments with cumulative effect, which is a major punishment and in fact, proceedings were also initiated against the petitioner under Rule 14 of the CCS (CCA) Rules, which provision deals with infliction of major penalty. Thereafter, by referring to Annexure P-4, appended with the petition which are the Standard Operating Procedures that have been brought into force by the respondent-Corporation, he has submitted that in terms thereof, ticketless traveling amount less than Rs.100/- if detected, is to entail charge sheet for minor penalty. He submitted that in light of the Standard Operating Procedure, the very issuance of a charge sheet for infliction of major penalty to the petitioner is void ab initio and the punishment of major penalty inflicted on the petitioner is also bad and not sustainable in law.

Faced with this situation, learned Counsel for the Corporation prays for and is granted three days' time to have instructions. As prayed for, list on **24.08.2026.**"

3. Today, learned Counsel for the respondent-Corporation, on instructions from Shri Madan Sharma, Deputy General Manager (Legal), Himachal Road Transport Corporation, submits that the Department shall be withdrawing the impugned order, but liberty be granted to the Department to proceed against the petitioner as per the Himachal Pradesh Prevention of Ticketless Travel in Road Transport Services Act, 1976 as also the Standard Operating Procedure framed thereunder.

4. In light of the statement of the learned Counsel for the respondent-Corporation, this petition is allowed by quashing the impugned charge-sheet as well as impugned orders, dated 24.11.2024, 22.07.2025 and 28.07.2026, with liberty to the respondent-Corporation to proceed against the petitioner afresh in terms of the Himachal Pradesh Prevention of Ticketless Travel in Road Transport Services Act, 1976 as also the Standard Operating Procedure framed thereunder.

5. The petition stands disposed of, so also pending miscellaneous application(s), if any.

(Ajay Mohan Goel)
Judge

August 24, 2026
(Rishi)