

Court No. - 33

Case :- WRIT - A No. - 17403 of 2023

Petitioner :- Vinay Sachan

Respondent :- General Manager, Bank of Baroda

Counsel for Petitioner :- Dheeraj Kumar Singh

Counsel for Respondent :- Anadi Krishna Narayana, Archana Singh

Hon'ble J.J. Munir,J.

Heard Mr. Dheeraj Kumar Singh, learned Counsel for the petitioner and Mr. Archana Singh, learned Counsel appearing on behalf of the respondent-Bank.

The petitioner has been suspended pending inquiry *vide* order dated 14.06.2022 passed General Manager, Bank of Baroda, Zonal Office, Lucknow on charges relating to suspicious transactions in his and his relative's account from the customers' and office accounts of the Rath Branch, Fatehpur Region, while working as the Officer, Branch Operations, at the Rath Branch by the petitioner.

Considering the nature and the gravity of the charges, it cannot be said that the charges are so trivial, that, if proved, major penalty may never be imposed. This Court does not wish to say that charges are, in any manner, proved, or in the judgment of this Court, proved. It is for the establishment to prove the charges before the Inquiry Officer by leading evidence, where the petitioner would have a right to cross-examine witness(es) of the establishment and produce his own defence.

However, no case for interference with the impugned suspension order is made out at this stage.

The respondents are directed to expedite the inquiry and conclude the same within four months next, in accordance with law, after providing opportunity to the petitioner and following the procedure prescribed by law. During the period of suspension, the petitioner shall be paid his subsistence allowance regularly, without asking him to furnish a non-engagement certificate. Arrears of subsistence allowance, if not paid, shall be paid to him within fifteen days hence. The petitioner shall cooperate with the inquiry and not seek any adjournment. Even if adjournment becomes necessary, it shall be short, bearing in mind the schedule indicated hereinabove. If inquiry is not concluded within the time schedule indicated, it shall be open to the petitioner to approach this Court again, seeking revocation of his continued suspension.

The writ petition stands **disposed of** in terms of the orders aforesaid.

The Registrar (Compliance) is directed to communicate this order to the General Manager, Bank of Baroda, Zonal Office, Lucknow.

Order Date :- 8.11.2023

I. Batabyal