

AFR
2025:AHC:132182
Reserved :- 22/07/2025
Delivered :- 06/08/2025

Court No. - 5

Case :- WRIT - A No. - 9579 of 2025

Petitioner :- Md. Tarique

Respondent :- Union Of India And 5 Others

Counsel for Petitioner :- Siddharth Khare, Sr. Advocate

Counsel for Respondent :- A.S.G.I., Gyan Prakash Shrivastava

Hon'ble Saurabh Shyam Shamshery, J.

1. Petitioner was appointed as Probationary Officer in Central Bank of India on basis of a selection proceedings conducted by Institute of Banking Personnel Selection (IBPS). He was granted appointment as Assistant Manager (Scale-1) and posted at Lucknow Zone in July, 2013. He was promoted as Officer Middle Management Grade (Scale-II) in April, 2016 and granted posting at Ahmedabad Zone and after working there till July, 2019, on his own request, he was transferred back to Lucknow Zone and posted as Manager (Scale-II Officer) at Branch Office Padleganj under Gorakhpur Region on 25.07.2019. Within few days, he was transferred and posted as Branch Manager at Branch Office Ramkola under Gorakhpur Region on 29.07.2019. In September, 2021, he was transferred to Lead Bank Office, Padrauna, Kushinagar where he lastly worked. An Internal Audit was conducted by Regional Branch Manager of Ramkola Branch where petitioner has worked as Branch Manager from 29.07.2019 to 22.09.2021 and a Regional Branch Internal Audit report was submitted in September, 2020, wherein number of objections were pointed out and according to petitioner, objections were rectified also and a compliance report was submitted by one Dharmendra Pandey on 03.03.2021.

2. Subsequently, a Checking Report of Audit Compliance of RBIA was obtained from one Ratnesh Ranjan, then posted as Senior Manager at Branch Office Padrauna, however, he has submitted an adverse report on 28.10.2021, that level of compliance was found unsatisfactory.

3. In pursuance of above reports, petitioner was served with a memo dated 02.11.2021 and an explanation was sought within a period of 7 days explaining the act of omission and commission mentioned therein as well as why disciplinary action be not initiated against him.

4. In response to above referred memo, petitioner has submitted a detailed reply dated 27.11.2021, however, it was not found satisfactory and Regional Manager proceeded to issue a Memorandum dated 27.01.2023 instituting a departmental proceedings against him with regard to Articles of Charge specified in Annexure-1 and 2 of said Memorandum. Annexure-1 levelled 58 charges against the petitioner based on Statement of Imputation of Misconduct specified with regard to each of said charge in Annexure-2. It was accompanied by list of Management documents and witnesses also.

5. On same day, Regional Manager appointed Mr. Ratnesh Ranjan, Senior Manager, Branch Office Padrauna as Inquiry Officer. Inquiry was conducted between 31.03.2023 to 13.07.2023 on various dates. Preliminary proceedings were conducted between 31.01.2023 and 05.03.2023 and between 06.03.2023 and 25.05.2023. Presenting Officer produced total number of 1403 documents. Between 26.05.2023 and 15.06.2023, oral testimony of Ashutosh Vikram, Branch Manager, Ramkola Branch was

concluded. The petitioner was provided a chance to cross examine him. The petitioner has presented total number of 637 documents. Proceedings were conducted on 05.07.2023, 06.07.2023, 07.07.2023, 10.07.2023, 11.07.2023, 12.07.2023 and 13.07.2023 and after cross examination, Presenting Officer as well as petitioner were granted 15 days' time to submit defence brief of prosecution/defence.

6. According to petitioner, he was not examined i.e. his statement was not recorded though he has submitted a very detailed defence brief in written.

7. The Inquiry Officer after closing of inquiry proceedings submitted an Inquiry Report and served upon the petitioner with a covering letter dated 08.09.2023. The petitioner has submitted a very detail objection dated 29.09.2023 to Inquiry Report. On 08.11.2023, an order was passed by A.G.M., Stressed Assets Management/Disciplinary Authority inflicting a penalty of dismissal from service against the petitioner constituting disqualification for future employment in terms of Regulation 4(j) of Central Bank of India Officer Employees (Discipline and Appeal) "Regulations, 1976" **(hereinafter referred to as “Regulations, 1976”)**.

8. Petitioner being aggrieved by above referred order dated 08.11.2023 has submitted an Appeal before the Appellate Authority, which was dismissed by an order dated 03.07.2024 though penalty of dismissal from service with a disqualification for failure employment was substituted by a penalty of removal from service.

9. Petitioner being aggrieved by said order filed a Review Petition under Regulation 18 of "Regulations, 1976" before General Manager, Central Bank of India, Central Office, Mumbai, however, it was rejected vide order dated 05.03.2025.

10. Aforesaid orders dated 08.11.2023, 03.07.2024 and 05.03.2025 are impugned in this writ petition.

11. With consent of learned advocates for rival parties, this writ petition was finally heard without exchange of pleadings since petitioner has filed all relevant documents along with the writ petition which is running into about 1400 pages (Volume I to VII).

12. Sri Ashok Khare, learned Senior Advocate assisted by Sri Aditendra Singh, learned counsel for petitioner and Sri Gyan Prakash Srivastava, learned counsel for respondent-bank have filed their written submissions reiterating their oral arguments presented at length.

13. Petitioner was charged with 58 charges. Charges No. 48, 49, 50, 52, 53, 54, 55 and 56 were related as many as 413 CKCC loan accounts wherein serious irregularities were committed. For reference, aforesaid charges are quoted below :-

"Charge No.48

Mr. Md. Tarique had sanctioned & disbursed 54 CKCC limits in excess of actual land holding of borrower. He had manually prepared process notes in loan files where he had considered higher land holding for evaluating CKCC limits. Thus, he had abuses his lending powers as a Branch Manager, done reckless financing, concealed the facts from Higher Authorities & Violate the Loan Policy.

Charge No.49

Mr. Md. Tarique had sanctioned & disbursed 50 CKCC accounts to borrowers who had availed limits with other financial institution (case of double finance) which were reflected in Khatauni/CIC reports. Thus, he did not follow the norms of lending and did not carry out proper due diligence and KYC of the borrower and abuses his lending powers.

Charges No.50

Mr. Md. Tarique has sanctioned & disbursed 109 CXCC loan accounts where limit fed in CBS in excess of actual sanction (Limit manipulated in CBS). Thus, he did not adhere to the prescribed lending norms with regard to processing of the proposals and abuses his lending powers.

Charge No.52

Mr. Md. Tarique has sanctioned & disbursed 174 CKCC loan accounts where multilayer approach (Loan sanctioned by single-handedly) while processing and sanctioning not followed. Thus, he did not adhere to the prescribed lending norms with regard to processing and sanctioning of the proposals and abuses his lending powers.

Charge No.53

Mr. Md. Tarique has sanctioned & disbursed 17 CKCC loan accounts where limits were enhanced several times in a financial year, without any cause & justification. Thus, he had abuses his lending powers, concealed the facts from higher authorities & violated the Loan Policy while processing and sanctioning of the CKCC loan proposals.

Charge No.54

Mr. Md. Tarique has sanctioned & disbursed 17 personal & pension loan accounts where loan amount sanctioned in excess of eligibility of borrower. Thus, he had abuses his lending powers, concealed the facts from higher authorities & violated the Loan Policy while processing and sanctioning of the loan proposals.

Charge No.55

Mr. Md. Tarique has sanctioned & enhanced 16 MSME Loan accounts despite of withholding his lending powers by Regional Office, Gorakhpur vide its letter no. RO/Credit/2019-20/802 dated 19.03.2020. Thus, he had not obeyed and failed to carry out the written order of the competent authority and abused his lending powers.

Charge No.56

Mr. Md. Tarique has sanctioned/enhanced/disbursed 26 CKCC accounts more than 175% without informing Regional Office and not created Bank's charge over Khatauni. He had violated the instruction of CO given in letter no. CO: ARD-FI:GM:2020-21-234 D24.08.2021. Thus, he had not obeyed and failed to carry out the written order of the higher authority and abuses his lending powers."

14. Learned Senior Advocate by referring written submissions has vehemently submitted that in the entire inquiry report and order of Disciplinary Authority has not alleged any fraud or there was no allegation of fabricating documents or that loan sanction or limit was increased was contrary to law. There was no allegation against the petitioner of ulterior motive or he has done any unlawful act which has caused loss to respondent-bank. Even on proved misconduct, since there was no proof of loss to bank, the punishment order of removal from service was unwarranted and shockingly disproportionate also.

15. Learned Senior Advocate also submitted that total number of accounts involved are 513, however, number of accounts were repeated on more than one occasion, therefore, actual figure was much lesser.

16. A compliance report was submitted by Ratnesh Ranjan, Senior Manager, Branch Office Padrauna who has conducted Audit Compliance Report, however, he has submitted adverse

report dated 28.01.2021 and despite he was author of adverse report, still he was appointed as the Inquiry Officer to conduct inquiry which was absolutely illegal since he has to prove his adverse report and he could not go against his own findings. Entire proceedings were, therefore, suffered with malafides and petitioner was highly prejudiced.

17. Learned Senior Advocate has further submitted that petitioner has filed a detailed reply to inquiry report, however, same was not considered in its entirety. His detailed defence brief was also not considered as not been effectively mentioned in the impugned order.

18. Learned Senior Advocate has also referred pleadings of Writ Petition and written submissions. He has also referred Regulation 6(17) of "Regulations, 1976" that petitioner was not orally examined during course of inquiry proceedings which was mandatory. For reference, said Regulation is quoted below :-

"6 (17). The inquiring may after the officer employee closed his evidence and shall if the officer employee is not getting himself examined, generally questioning on the circumstances appearing against him in the evidence for purposes of enabling the officer employee to explain any circumstances appearing in the evidence against him."

19. Learned Senior Advocate has placed reliance upon following judgments given more force to his arguments.

"1. Union of India and others vs. Mohd. Ramzan Khan, 1991 (1) SCC 588;

2. Moni Shanker vs. Union of India and another, 2008 (3) SCC 484;

3. Union Bank of India vs. Bishwanath Bhattacharjee, 2022 (13) SCC 329"

20. Per contra, learned counsel for respondents-Bank has vehemently opposed above submissions and referred written submissions and pleadings that there was no violation of principles of natural justice. Inquiry was conducted in strict adherence to Rules and procedures provided in "Regulations, 1976". The petitioner was afforded full opportunity to present his defence and to submit all documents in defence as well as to cross-examine the Management witnesses, which he has availed effectively. No allegation of procedural violation or arbitrariness was raised during inquiry. Allegations were proved on basis of documents, that there were repeated procedural lapse. There were financial irregularities and there were failure in compliance of Internal Control Mechanisms. Dereliction on part of petitioner in discharging his duties and responsibilities was proved. He was negligent in sanctioning; processing and disbursing credit facilities to various customers which may cause higher financial and operational risk. The act of petitioner was highly prejudicial to interest of the bank.

21. Learned counsel has also submitted that there were clear cut procedural lapse. The petitioner has facilitated diversion of public funds, violating the trust and confidence reposed by the bank in him. Loans were sanctioned and disbursed without following due diligence. Nature of irregularities were not mere procedural but it was systematic failure to exercise due diligence and lapses led to severe risk exposure. Charges were proved beyond the preponderance of probabilities based on the documents and evidences. The petitioner has not raised question on impartiality of the Inquiry Officer during proceedings. On basis of proved charges, punishment is not shockingly disproportionate.

22. Learned counsel for respondents-Bank has placed reliance upon following judgments to support Bank's case :-

"1. Ram Avtar vs. Chairman and MD and others, Writ Petition No. 57592/2005

2. Apparel Export Promotion Council vs. A.K. Chopra, AIR 1999 SC 625

3. SBI vs. Bela Bagchi and others, Civil Appeal No. 5364 of 2005

4. Tara Chand Vyas vs. Chairman and Disciplinary Authority and others, 1997 SC 357

5. UPSRTC vs. Suresh Chand Sharma, 2010 (6) ...

6. Union of India vs. Managobinda Samantaray, Civil Appeal No. 1622-1623/2022

7. Union of India and others vs. Const. Sunil Kumar, Civil Appeal No. 219/2023

8. Union of India vs. P. Gunasekaran

9. B.C. Chaturvedi vs. Union of India, (1995) 6 SCC 749"

23. Heard learned counsel for parties and perused the records.

24. Before adverting to rival submissions, Court takes note of paragraphs 12 and 13 of a judgment passed by Supreme Court in **Boloram Bordoloi vs. Lakhimi Gaolia Bank and others, (2021) 3 SCC 806** which are quoted below :-

"12. Even, the last submission of the learned counsel for the appellant that the punishment imposed is disproportionate to the gravity of charges, also cannot be accepted. The charges framed against the appellant in the departmental enquiry are serious and grave. If we look at the response, in his letter dated 16-8-2005, to the show-cause notice issued by the disciplinary authority, it is clear that he has virtually admitted the charges,

however, tried to explain that such lapses occurred due to work pressure. Further he went to the extent of saying – he is ready to bear the loss suffered by the Bank on account of his lapses.

13. The Manager of a bank plays a vital role in managing the affairs of the bank. A bank officer/employee deals with the public money. The nature of his work demands vigilance with the in-built requirement to act carefully. If an officer/employee of the bank is allowed to act beyond his authority, the discipline of the bank will disappear. When the procedural guidelines are issued for grant of loans, officers/employees are required to follow the same meticulously and any deviation will lead to erosion of public trust on the banks. If the Manager of a bank indulges in such misconduct, which is evident from the charge memo dated 18-6-2004 and the findings of the enquiry officer, it indicates that such charges are grave and serious. In spite of proved misconduct on such serious charges, disciplinary authority itself was liberal in imposing the punishment of compulsory retirement. In that view of the matter, it cannot be said that the punishment imposed in the disciplinary proceedings on the appellant, is disproportionate to the gravity of charges. As such, this submission of the learned counsel for the appellant also cannot be accepted."

25. Court has already observed on basis of material that due process was followed in disciplinary proceedings conducted

against the petitioner. The procedure for imposing major penalty as prescribed under Regulation 6 of "Regulations, 1976" that inquiry was conducted by an Inquiry Officer. Charge sheet was submitted against the petitioner together with statement of allegations and list of documents and list of witnesses were also provided. The petitioner has submitted his reply within a specified period. On basis of oral and documentary evidence, Inquiry Officer has submitted his inquiry report, therefore, referred procedure was complied with substantially.

26. So far as Rule 6(17) of "Regulations, 1976" is concerned, it is not mandatory in nature and since petitioner has already provided ample opportunities for submitting his case, opportunity to cross examine the witnesses, therefore, there was no mandatory requirement to record his statement if he does not want to record his statement. The purpose of statement to ask question on circumstances against the delinquent, which was satisfied since entire documentary evidence was supplied to the petitioner, therefore, the object was satisfied. Otherwise also, petitioner has not asked to exercise provisions of Regulation 6(17), therefore, in given circumstances, it could not be a case that if such procedure was not substantially followed, entire inquiry would be vitiated.

27. As already referred above, impugned order is running into many pages, as each charge was dealt with independently referring details of charge, argument/submission of P.O., argument/submission of defence/CSOE, findings of I.A. and findings of Disciplinary Authority. For reference, scanned images of details mentioned in regard to Charge No.1 are quoted below :-



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Charge No.01

ACNO	TYPE	NAME	LIMIT
3792329010	Micro Enterprises Service	M/S Uma Hardware	34,50,000.00

- Md. Tarique sanctioned CC limit under Cent Mudra Loan of Rs.4.50 lacs on 21.12.2019. The limit was enhanced from Rs.4.50 lacs to Rs.24.50 lacs on 27.10.2020 and further within six months on 06.02.2021 again enhanced from 24.50 lacs to Rs.34.50 lacs without any application, process note, sanction letter and loan documents without any justification. Limit was enhanced twice from Rs.4.50 lakh to Rs.34.50 lakh within 18 months.
- Loan application, process note, sanction letter, loan documents and other related documents of enhancement limit of Rs.24.50 lacs is not in record.
- He has accepted inflated figures regarding net sales of the firm i.e for Rs.33.98 lacs for FY 2018-19, Rs.35.77 lacs for FY 2019-20, Estimated sales of Rs.125.00 lacs for FY 2020-21 and projected sales of Rs.150.00 lacs for FY 2021-22. The figure considered for sanctioning the credit facility are inflated and without any proper justification as to how the projected Sales is achievable.
- Valuation of property is only Rs.27.59 lacs, which is not covered full loan amount.
- He neither created EM of collateral security nor CERSAI before disbursement of loan exposing it as clean Advance.
- Despite of withholding of lending powers by Regional Office, Gorakhpur vide letter dated 19.03.2020, he had enhanced the limit which is not only the violation of loan policy but abusing of his lending power also.
- He has not reported enhancement of loan amount in Control Return to higher authority thus concealed the facts from higher authority.

Arguments/submissions of PO:

- From MEX-1, (CBS screenshot) It is clear that, C.S.O.E sanctioned CC limit under Cent Mudra Loan of Rs.4.50 lacs on 21.12.2019. The limit was enhanced from Rs.4.50 lacs to Rs.24.50 lacs on 27.10.2020 and further within six months on 06.02.2021 again enhanced from 24.50 lacs to Rs.34.50 lacs. From MEX-2, MEX-8 (process note and certificate) and also form DEX-2, DEX-5 (process note and sanction letter), he has made two process note without proper justification for enhancement of limit twice from Rs.4.50 lakh to Rs.24.50 lacs and to Rs.34.50 lakh within 18 months. There is no any application, process note, sanction letter and loan documents taken for the entire enhancement of limit to Rs.24.50 lacs. Hence charge of enhancement of without any application, process note, sanction letter and loan documents is proved.
- From MEX-7(certificate issued by present incumbent) it is clear that loan amount of Rs.24.50 lacs is sanctioned without any application, process note, sanction letter and loan documents. Hence charge of "Loan application, process note, sanction letter, loan documents and other related documents of enhancement limit of Rs.24.50 lacs is not in record" is proved.
- From MEX-2 and DEX-635(Process note and financial statement) C.S.O.E has accepted inflated figures regarding net sales of the firm i.e for Rs.33.98 lacs for FY 2018-19, Rs.35.77 lacs for FY 2019-20, estimated sales of Rs.125.00 lacs for FY 2020-21 and projected sales of Rs.150.00 lacs for FY 2021-22. Projected sales is 3 times of actual sales. There is no UDIN number on financial statement and without UDIN no. Any financial statement becomes null and void. The figure considered for sanctioning the credit facility are inflated as the for the estimated as almost 4 times of the base year sales figure was accepted that too without support of any concrete bases. Justification regarding the sales figure is not given in financial statement and process note. Hence charge of "He has accepted inflated figures regarding net sales of the firm i.e for



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- Rs.33.98 lacs for FY 2018-19, Rs.35.77 lacs for FY 2019-20, estimated sales of Rs.125.00 lacs for FY 2020-21 and projected sales of Rs 150.00 lacs for FY 2021-22. The figure considered for sanctioning the credit facility is inflated and without any proper justification as to how the projected Sales is achievable" is proved.
- From MEX-6, MEX-2, DEX-2 and DEX-3, DEX-8(valuation report, process note, sanction letter, LIC policy) it is clear that Valuation of property is only Rs.27.59 lacs, and market value is Rs 30.66 lacs. In the process note and sanction letter, collateral security accepted to secure the exposure is only mentioned property's having RV Rs.27.59 lacs and mentioned LIC value is nil that too without any specific Policy no, hence total security accepted is Rs.27.59 lacs which is not sufficient enough to cover the full loan amount Rs. 34.50 Lacs. Hence charge of "Valuation of property is only Rs.27.59 lacs, which is not covered full loan amount" is proved.
 - From MEX-1, MEX-5, MEX-9(CBS limit amendment detail, copy of EM, Mail for cersai) and from DEX-10(Mail for cersai) it is clear that limit of Rs. 24.50 lacs was fed in the CBS on 27.10.2020 for which no EM record was created. Limit of Rs.34.50 lacs was fed in CBS on dt.06/02/2021 done but EM for created on dt 22/09/2021 which is more than 7 months. For the CERSAI mail was send on dt 06/10/2021. Hence the charge that He neither created EM of collateral security nor CERSAI before disbursement is proved.
 - From MEX-69 it is clear the lending power of C.S.O.E has been withhold vide letter no RO/CREDIT/2019-20/802 dt 19/03/2020 with his acknowledgement, The limit of said account was amended on 27.10.2020 & 06.02.2021 which clearly emphasis the fact that Despite of withholding of lending powers by Regional Office, Gorakhpur, he had enhanced the limit on number of times. Hence charge of "Despite of withholding of lending powers by Regional Office, Gorakhpur vide letter dated 19.03.2020, he had enhanced the limit which is not only the violation of loan policy but abusing of his lending power" is proved.
 - From MEX- 3 and MEX-4(control return) it is clear that C.S.O.E has not reported enhancement of loan amount from Rs.4.50 lacs to Rs.24.50 lacs on 27.10.2020 and further within six month on 06.02.2021 from 24.50 lacs to Rs.34.50 lacs in Control Return. Hence charge of "He has not reported enhancement of loan amount in Control Return to higher authority thus conceale the facts from higher authority" is proved.

Arguments/submissions of Defense/CSOE:

- For the CC limit in question and to substantiate this part of the charge, the learned PO has submitted MEX- 1, which is CBS screenshot of enhancement of the said limit, MEX- 2 (Process note for enhancement), MEX- 8 (Certificate from incumbent BM certifying that Justification for enhancement not held on record). Whereas as a matter of fact it is clearly established by DEX-1, DEX-2, DEX-3, DEX-5 & DEX-635 & DEX-636 (actual balance sheet as on 31.03.2020 estimated as on 31.03.2021 & projected as on 31.03.2022 with P & L and ITR for AY- 2019-20 & for AY- 2020-21 and GSTIN) that the loan limit was enhanced to Rs.3450000/- after obtaining application dated 08/09/2020 for the enhancement of limit to Rs 35.00 lakh and its processing as evident from Process Note, which was duly recommended by the recommending officer Mr. Mukti Nath, Assistant Manager under his signature and sanctioned by the sanctioning authority and the sanction letter dated 26.10.2020 duly acknowledged by the borrower Mr. Mritunjay Singh - Proprietor of M/s Uma Hardware, which is in commensuration with turnover achieved of Rs. 1,64,57,119.99 from 01/04/2020 to 30/04/2021 and 1,48,16,264.27 from 01/05/2021 to 30/09/2021 in the account, which has also been confirmed by the MW-1 in his reply to DQ 717. MEX-1 establishes the fact that the CC limit of Rs.3450000/- was fed on 06/02/2021 after a time period of about 14 months from the initial sanction of Rs.450000/- on 21/12/2019 and the said CC limit of Rs.3450000/- has been renewed /reviewed on 14/03/2022 as in as evident from

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- MEx-1 which has also been confirmed by MW-1 in his reply to DQ. DQ 719. DEX-7 establishes the fact the end use of funds has been ascertained by the CSOE which is also confirmed by MW-1 in his reply to DQ 722. Thus, MEX 8 stands negated through the justification based on documentary evidences submitted in Defence. Hence it is clearly proved based on the above given facts and circumstances that application (DEX 1), revised process note (DEX2) against MEX 2, sanction letter dated 26.10.2020 (DEX-3) and loan documents (DEX-4) along with the justification were kept in record. Hence this part of the charge is not proved.
- Our learned PO had tried to substantiate this part of charge by submitting MEX- 7 which is a Certificate from incumbent BM that 'Loan documents for CC limit of Rs 24.50 lakh is not held in record'. Whereas on contrary DEX-4 has clearly established the fact that the required loan documents for the Cash Credit Limit of Rs. 3450000/-sanctioned on 26.10.2020 were duly got executed from the borrower and the guarantors respectively on 26.10.2020, which has also been confirmed by MW-1 (incumbent BM) in his reply to DQ. 718. DEX-1 to DEX-4 along with MEX-1 clearly proves that though the enhancement of the above said loan limit to Rs.3450000/- was sanctioned on 26.10.2020 for which the valid and enforceable loan documents for Rs.3450000/- were already obtained, those which were executed by the borrower and guarantors respectively on 26.10.2020 but the loan limit for Rs.2450000/- was fed in on 27.10.2020 instead of Rs.3450000/- as evident from MEX-1 and since the loan documents dated 26.10.2020 for the loan limit of Rs.3450000/- were already with the branch, loan documents for Rs. 2450000/- were not needed, thus not taken. This fact has also been confirmed by the MW-1 in his reply to DQ 719. Hence MEX-7 stand negated based on the above-mentioned documentary evidences and confirmation by the MW-1. Therefore, this part of the charge is not proved at all.
 - Figures are not inflated as can be seen in document listed as DEX-635 (CBS Screenshot of CC account No 3792329010 (Mr Mritunjay Singh, Prop: M/s Uma Hardware) reflecting Turnover in the account, DEX- 636 (B/S, PL) which is in commensuration with turnover achieved of Rs. 16457119.99 from 01.04.2020 to 30/04/2021 and 14816264.27 from 01/05/2021 to 30/09/2021 in the account. Justification for achievement of sales is substantiated by the actual turnover in the account itself, which has also been confirmed by the MW-1 in his reply to DQ- 717.
 - For the said charge MEX- 6, MEX-5, DEX-9, DEX-8 & DEX- 6 clearly proves that the above said CC limit is duly secured with the EM of Residential House property, which is of market value of Rs.30.66 lakh, Realizable Value of Rs. 2759400/- as per valuation of the Bank's Panel Valuer and LIC policies duly assigned in favour of the Bank/branch and Hypothecation of stock and in accordance with the value of stock being primary security and Collateral in the form of EM of house property and LIC policies assigned are of more value than the limit sanctioned, which has also been confirmed by the MW-1 in his reply to DQ.721. Thus, the securities taken were of more than value of the loan amount. Hence this part of charge is not proved at all.
 - For this part of charge, our learned PO has submitted MEX- 5 which clearly proves that it's an Extension of EM and the above said CC limit is duly secured with the EM of Residential House property, which is of market value of Rs.30.66 lakh, Realizable Value of Rs. 2759400/- as per valuation of the Bank's Panel Valuer. It is to be noted that the EM of Housing Loan was since continued and right of general lien was in existence, which has been also been confirmed by MW-1 in his reply to DQ 721. Besides this, the Asset ID 20056827453 and Security ID 400056474843 has been registered for the EM of the House property (Extension of EM) in the CERSAI for above CC A/c of Mritunjay Singh, which has been communicated through this Centmail by the RO. Hence the charge that the loan was 'exposed' as clean advance is not proved at all.
 - Lending power was withheld for Fresh sanction whereas it was a case of renewal with enhancement.

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7. Ref MEX- 68 which proves that the Fresh sanction of M/s Uma Hardware was reported in Control Return.

1A findings:

1. After going through the documents produced by both PO & AO IA is of the observation that Charge of "Md. Tarique sanctioned CC limit under Cent Mudra Loan of Rs.4.50 lacs on 21.12.2019. The limit was enhanced from Rs.4.50 lacs to Rs.24.50 lacs on 27.10.2020 and further within six months on 06.02.2021 again enhanced from 24.50 lacs to Rs.34.50 lacs without any application, process note, sanction letter and loan documents without any justification. Limit was enhanced twice from Rs.4.50 lakh to Rs.34.50 lakh within 18 months is proved.
2. Loan application, process note, sanction letter, loan documents and other related documents of enhancement limit of Rs.24.50 lacs as confirmed by PO and AO was not obtained, hence the charge of Loan application, process note, sanction letter, loan documents and other related documents of enhancement limit of Rs.24.50 lacs is not in record" is proved.
3. As the financial statement accepted by the CSOE does not hold any relevance as documents without UDIN no does not hold any sanctity. Even no justification regarding estimated sales figure was highlighted or any comment was marked while considering the proposal. Hence Charge "He has accepted inflated figures regarding net sales of the firm i.e for Rs.33.98 lacs for FY 2018-19, Rs.35.77 lacs for FY 2019-20, Estimated sales of Rs.125.00 lacs for FY 2020-21 and projected sales of Rs.150.00 lacs for FY 2021-22. The figures considered for sanctioning the credit facility are inflated and without any proper justification as to how the projected Sales is achievable." Is proved
4. As per DEX 2 which is sanction letter in which the detail of the collateral security is only that of Residential property having market value of Rs.30.66 lakh, Realizable Value of Rs. 2759400/- as per valuation of the Bank's Panel Valuer against the total exposure of Rs. 34.50 Lacs. Hence charge of "of property is only Rs.27.59 lacs, which is not covered full loan amount." is proved.
5. As per documents available and produced by the both sides and statement thereof IA is of the opinion that EM to secure the credit facility in the nature of CCOD was created well after the disbursement of limit facility. Even CERSAI was not created/modified before disbursement. Hence Charge of "He neither created EM of collateral security nor CERSAI before disbursement of loan exposing it as clean Advance." is proved.
6. As enhancement was done by the CSOE despite withholdings the lending power, Hence charge is proved.
7. None of the enhancement was reported in control return by the CSOE, hence charge is proved. All these circumstances lead to conclusion that the charge against C.S.O.E is proved.

28. So far as Charge No. 52 is concerned, it is in regard to irregularities committed by petitioner in 170 accounts. The charge is running into 90 pages and for reference, scanned images of

relevant part of Charge No. 52 showing 174 accounts where irregularities were committed as well as trial conclusions are pasted below :-




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(विभागीय कार्रवाई प्रभाग / DEPARTMENTAL ACTION DIVISION)

Charge No. 52
 Mr. Md. Tarique has sanctioned & disbursed below mentioned 174 CKCC loan accounts where multilayer approach (loan sanctioned by single handedly) while processing and sanctioning not followed. Thus, he did not adhere to the prescribed lending norms with regard to processing and sanctioning of the proposals and abuses his lending powers:

SRNO	ACNO	NAME	LIMIT	BAL OS
1	3345695147	Mr. BHAGAWAN SINGH	170000.00	-171667.000
2	3639181081	Mr. Saklain	158000.00	-164010.000
3	2277212392	Mr. KAILASH CHAND YADAV	141000.00	-85758.000
4	2277221000	Mr. SHRAWAN YADAV	147000.00	-156172.100
5	3164945309	Mr. MAHESH S/O RAMBALI	147000.00	-153581.860
6	2277223461	RAMCHANDER	142000.00	-159957.770
7	3645265384	Mr. BALIS S O KHUNKHUN	139000.00	-159322.000
8	3675528384	Mr. SHAILENDRA GUPTA S O	121000.00	-138777.000
9	3656137585	Mr. AWADH kumar TIWARI	134000.00	-147387.000
10	3089003825	Mr. AMAL YADAV	128000.00	-146094.000
11	3625326761	Mr. FAGU SO BANSHI	128000.00	-142943.000
12	4051725916	Mr. RADFIESHYAM	140000.00	-148317.000
13	3686638010	Mr. GopichandKushwaha	250000.00	-247651.000
14	2277239017	Mr. DEVRAJ S/O KODAI	132000.00	-137699.570
15	3619102217	Mr. VIRENDRA	126000.00	-136992.000
16	3653921438	Shri AVID ALI	132000.00	-140677.000
17	2277139330	Mr. CHEDI S/O CHOUTH	124000.00	-133676.000
18	2277155444	Mr. RAMAUTAR	99000.00	-102746.000
19	3661782187	Mr. SHRI NARAYAN YADAV	123000.00	-120125.000
20	3677105843	Mrs. SANGEETA DEVI	121000.00	-132590.000
21	3170164938	Mr. DEVINANDAN PASI	133000.00	-140415.000
22	3678890239	Mr. RAJMAN S/O RAMLAL	206000.00	-163290.000
23	3658618144	Mr. SHRIKANT SO RAM PATI	118000.00	-131311.000
24	2277137060	Mr. YOGENDAR	115000.00	-125139.000
25	2277186755	Mr. RAMVILASH S.O RAMNATH	119000.00	-125091.000
26	2277222037	Mr. RAMA S/O BALLI	113000.00	-120853.400
27	2277134922	Mr. RAMANAND	113000.00	-122615.000
28	2277135096	Mr. LIYAKAT ALI	115000.00	-123870.900
29	3488628948	Mrs. SIRJAVATI	115000.00	-121066.000
30	2277209220	Mr. EHOLA	114000.00	-122788.000
31	2277138961	Mr. SHIVPRATAP	110000.00	-121893.900

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		CHAUBEY		
32	2277232114	Mrs. SHRI MATI DEVI	105000.00	-113521.800
33	2277134740	Mr. RADHESHYAM S/O KALICH	106000.00	2171.710
34	2277135700	Mr. LALLAN PRASAD	98000.00	-98973.000
35	3133095048	Mr. MRITUNJAY KUMAR PANDE	157000.00	-164709.370
36	2277188913	Mr. RAJBALABH RAO	99000.00	-104164.000
37	3633030853	Mr. Kalicharan	73000.00	-81464.000
38	2277138166	Mr. DWARIKA S/O RAMLAL	71000.00	-78721.000
39	2277195114	MITHU	70000.00	-73193.400
40	2277134648	Mr. JAIKISHUN	61000.00	-60461.000
41	2277135278	Mrs. HUSHAN. TARA	132000.00	-138832.100
42	2277207041	Mr. SURESH	158000.00	-167625.860
43	3453552513	Mr. NANDLAL	123000.00	-131017.000
44	2277135574	DINESHWAR GO RAO	569000.00	-4807.690
45	4030691048	Mr. RAMDARASH S O JIUT	123000.00	-129607.000
46	2277184544	Mr. SURENDRA SINGH	400000.00	-371430.740
47	3571839498	Mrs. DULARI W/O KEDAR	290000.00	-305217.000
48	3682545902	Mr. DINANATH SINGH	147000.00	-165593.000
49	4051065298	Mr. NIJAMUDDIN ANSARI S	149000.00	-159514.000
50	4030655703	Mr. ABID S O DADADMARI	140000.00	-3409.000
51	3620660802	Mr. RAMDARASH KUSHWAHA	665000.00	-664139.000
52	3135785370	Mr. JAISHANKAR MANI TRIPA	566144.00	-480804.200
53	4052484139	Mr. HARIDWAR S/O MOHAN	379000.00	-346873.000
54	2277136758	Mr. FEKU S O TAPAI	276000.00	-289566.100
55	3097610321	Mr. SUNIL SINGH	263000.00	-296144.690
56	3558369471	Mr. NANDLAL KUSHWAHA	290500.00	-290301.000
57	2277200759	Mr. OM PRAKASH	271000.00	-242813.600
58	3165901585	Mr. SUNIL RAY	264000.00	-266642.000
59	2277137264	Mr. BHULAE GUPTA	251000.00	-201490.000
60	3170809560	Mr. RAMNIWASH CHAURASIYA	194000.00	-248596.000
61	2277211706	Mr. RAMCHANDER	242000.00	-238180.000
62	2277218350	ISHAK	254000.00	-234888.000
63	2277186405	Mr. SURESH	267000.00	-223579.400
64	3613869713	Mr. UMESH CHAND	220000.00	-219576.600
65	2277183936	Mr. SUDAMA MAHAVIR	199100.00	-207202.200

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66	2277200726	Mr. SATYA PRAKASH	197200.00	-206340.000
67	3555554659	Mr. MAHANGU	239694.00	-204556.000
68	4053272010	Mr. AJAY KUMAR DIXIT	193000.00	-201136.000
69	3187451426	Mr. ANIL KUMAR SINGH	163000.00	-200854.000
70	2277138778	Mr. JALALUDDIN ANSARI	187000.00	-192522.100
71	4053159016	Mr. RAMJIT SO GAYA	185000.00	-192278.000
72	2277236742	Mr. JAI PRAKASH SINGH	173000.00	-180610.600
73	2277137037	Mr. KANHIYA LAL	183000.00	-188812.000
74	3605251345	Mr. SRINIWASH SINGH S O	181000.00	-187075.000
75	2277172334	Mr. SRIRAM	170000.00	-172760.290
76	2277190240	Mr. GIRJASHANKAR TIWARI	194393.00	-175268.130
77	4052370867	Mr. HANSHNATH S O VIRBAH	166000.00	-172862.000
78	2277136431	Mr. SHIV PRASAD S O PALTU	153000.00	-152160.350
79	4019399221	Mr. AJAY KUNWAR SINGH	156000.00	-163093.000
80	3407335311	Mr. ABID	139000.00	-163745.000
81	2277218145	Mr. ALLAUDDIN	149600.00	-155045.100
82	3139221397	Mr. INDRJIT S/O UDAI	145000.00	-146566.000
83	3362941127	Mr. KOLAI	123000.00	-143819.400
84	3196987443	Mr. BINDU KUMAR MISRA	131000.00	-127401.000
85	2277237269	Mr. RAJENDRA YADAV	128000.00	-125005.000
86	3355764915	Mr. RAMASHISH S/O DHARIKS	105000.00	-120536.000
87	3181589085	Mr. MUKHLAL S O MAHATAM	112000.00	-117035.290
88	3184203317	Mr. KAMAL KISHOR	100000.00	-115088.000
89	3650851982	Mr. RAJESH KUMAR KUSHWAHA	131000.00	-115264.000
90	3194219122	Mrs. HORILA DEVI	100000.00	-109381.100
91	3670954021	Mr. SHREE RAM S O AMBIKA	95000.00	-112562.000
92	3645773272	Mr. RAMPRATAP TIWARI	112000.00	-116711.000
93	2277153504	SAMUJHAWAN S/O LATE FAUD	117000.00	-110024.000
94	3646444395	Mr. RAMASHREY KUSHWAHA	124000.00	-106466.000
95	2277225742	Mr. LAKSHMI GUPTA	88500.00	-91493.000
96	3124394833	Mr. RAHARI S/O SACHAN	85000.00	-90702.000
97	3646434669	Mr. KAMALA GUPTA	95000.00	-91645.000
98	3645920751	Mr. BASMATI DEVI	76000.00	-75781.000

१०-तल.चन्द्रमुखी, नरगिन प्लाट, मुंबई ०२१ ४००

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ARI	S/O	85000.00
A GUPTA		95000.00
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22 JUN 2025		
High Court, Allahabad		

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(विभागीय कार्रवाई प्रभाग / DEPARTMENTAL ACTION DIVISION)

99	3179467436	Mr. SRIRAM DUSADH	74000.00	-83903.000
100	3665415689	Mr. RUDAL PRASAD	71000.00	-84050.000
101	3684641412	Mr. BHRIGURURASHAN YADAV	73000.00	-73776.000
102	2277219625	Mr. RAMDAYAL GUPTA	81000.00	-82443.000
103	3644381684	Mr. NURSALAM	133000.00	-81612.000
104	3655030711	Mr. BHAN PRATAP KUSHWAHA	67000.00	-74935.000
105	2277222515	Mr. SHAMBHU KUSHWAHA S O	66000.00	-67848.520
106	3666233175	Mr. RAMRAKSHA	93000.00	-72623.000
107	2277185707	Mr. BANSHI YADAV	60000.00	-68405.000
108	3139837155	Mr. PRABHU NATH KUSHAWAHA	67000.00	-67726.000
109	4023100341	Mr. GANGA PRASAD	74167.00	-66614.000
110	3469539458	Mr. HARI S/O SABRU	62000.00	-64585.000
111	3195577914	Mr. YOGENDRA	62000.00	-63208.000
112	3665854310	Mr. JAIPRAKASH PRAJAPATI S	51000.00	-62735.000
113	3185812329	Mrs. MURTI	59000.00	-61672.000
114	2277217141	Mr. RAMPRAVESH KOHAR	52000.00	-61745.000
115	2277218281	Mr. JAI NARAYAN	67000.00	-61042.000
116	3187453183	Mr. AKHILESH S/O VISHVNAT	57000.00	-56994.000
117	2277174080	Mr. RAMCHANDAR CHAMAR	55000.00	-53391.000
118	3626601091	Mr. SUKAI PRASAD	85000.00	-51024.000
119	3135544561	Mr. INDRASEN SHARMA	39000.00	-42388.000
120	3670258808	Mr. Amin Amin	42930.00	-44753.000
121	2277134081	Mr. SHIV S/O TRIVENI	38000.00	-39697.000
122	2277223926	Mr. RAMNARAYAN	79000.00	-39256.000
123	3140013789	Mr. RAJBALI S/O LALMUNI	34000.00	-33436.000
124	3622112561	Mrs. SUMITRA DEVI W/O PR	29000.00	-28096.000
125	3481662421	Mr. ANIRUDDH	48000.00	81.000
126	3613895857	Mr. AKLU YADAV	436000.00	-509114.000
127	3677445994	Mr. SHRI RAM SINGH	454000.00	-484211.000
128	2277157962	DEVENDER RAO S/O LATE NA	359000.00	-377404.400
129	4022330808	Mr. MARKANDEY SHAHI S O	328757.00	-342588.000
130	3579177434	Mr. ANIL GOVIND RAO S/O S	276000.00	-306974.000
131	3223159477	Mr. DURGESHWAR RAI	276000.00	-301301.000
132	2277137059	Mr. VAIDH NATH URF	295000.00	-294504.600

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		HEMCHA		
133	2277136497	RAJENDAR YADAV	249000.00	-270570.000
134	3579177478	Mr. ADITYA KUMAR GOVIND S	235250.00	-235134.000
135	3356324871	Mr. MAHENDRA KUSHWAHA	224000.00	-237739.940
136	3190722935	Mr. VINOD KUMAR RAO	219000.00	-231869.000
137	3195513586	Mr. OMPRAKASH	206000.00	-221165.000
138	2277133510	Mr. JALIM SO SAHADAT	204000.00	-218098.000
139	3125225161	Mr. SHIV LAL YADAV	200000.00	-225482.000
140	3674967071	Mr. KESHAVPRATAP GOVIND R	204000.00	-216770.000
141	2277137275	RAM PRATAP SINGH	196000.00	-213201.270
142	3383379272	Mr. MUNDRIKA	188000.00	-196555.570
143	3584902648	Mr. VIRENDRA	183000.00	-204710.000
144	3184582837	Mr. SANJAY GOVIND RAO	184000.00	-201015.000
145	2277223766	KHAGENDER SINGH	185000.00	-201142.660
146	3323431247	Mr. DHIRAJ	186500.00	-198656.000
147	2277138597	Mr. SATHAI	185000.00	-190245.400
148	4045253610	Mr. NARVADA S O MANGAL	186000.00	-198104.000
149	3469170922	Mr. RAJMANGAL	200000.00	-195319.000
150	4024665834	Mr. GARUN S/O PARAS	191664.00	-193129.000
151	3148073286	Mr. RAMBADAN RAO	182600.00	-192529.000
152	3259560466	Mr. SUBHASH O RAO	174000.00	-190521.440
153	3683297649	Mrs. SANGAM DEVI	174000.00	-186189.000
154	3328619927	Mr. BAIRISHTAR SINGH S/O	150000.00	-169559.000
155	2277161876	KASHINARESH	148000.00	-160527.690
156	2277133554	Mr. RAJESHWAR GOVIND RAO	147000.00	-157692.000
157	3368723373	Mr. AMARCHAND	143000.00	-155916.860
158	3297889349	Mrs. REVATI DEVI W/O KAN	146500.00	-139809.000
159	2277134434	NAGINA	138000.00	-137363.100
160	2277225946	UMASHARAN	139000.00	-149058.760
161	3679416799	Mr. LAL JI S/O BANSHI	138000.00	-104000.000
162	3686592404	Mr. SRI PRASAD GUPTA	138000.00	-146789.000
163	2277136612	Mr. JAGDISH YADAV	200000.00	-241524.970
164	3322251459	Mr. JAGDISH	160000.00	-115218.000
165	3188614142	Mr. BED PRAKASH	104000.00	-108886.000
166	3297899108	Mr. GOURISANKAR SINGH S/O	143000.00	-101230.000
167	3306901521	Mr. RAMESH RAO	290000.00	-285457.290
168	4063317381	Mr. PARASNATH S/O SAMPAT	107000.00	-112498.000

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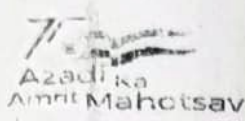


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169	4062909286	Mr. SITARAM	103000.00	-108797.000
170	4056754374	Mr. YOGENDRA	185000.00	-196501.000
171	4056754249	Mr. FOOLBADAN	198000.00	-210556.000
172	4056354161	Mr. SANTOSH KUSHWAHA	123000.00	-129352.000
173	4055964803	Mr. MAINUDIN	107000.00	-112988.000
174	4055058572	Mr. VISHAMBHAR PANDEY S	359000.00	-359292.000

I	3345695147	Mr. PHAGAWAN SINGH	170000.00	-171667.000
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29. Court also takes note of summary of charges and its outcome as well as conclusion of Disciplinary Authority and for reference, scanned images of same are pasted below :-




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Summary of the Charges:

Charge No	Proved/Not Proved	Charge No.	Proved/Not Proved
1	Proved	30	Proved
2	Proved	31	Proved
3	Proved	32	Proved
4	Proved	33	Proved
5	Proved	34	Not Proved
6	Proved	35	Partly Proved
7	Proved	36	Proved
8	Proved	37	Not Proved
9	Proved	38	Partly Proved
10	Proved	39	Proved
11	Proved	40	Not Proved
12	Proved	41	Proved
13	Partly Proved ✓	42	Partly Proved
14	Partly Proved ✓	43	Not Proved
15	Proved	44	Not Proved
16	Proved	45	Proved
17	Proved	46	Not Proved
18	Proved	47	Partly Proved
19	Proved ✓	48	Proved
20	Proved	49	Partly Proved
21	Proved	50	Partly Proved
22	Proved	51	Partly Proved
23	Proved	52	Partly Proved
24	Proved	53	Proved
25	Proved	54	Proved
26	Proved	55	Proved
27	Proved	56	Partly Proved
28	Proved	57	Partly Proved
29	Proved	58	Proved

My Conclusion:

1. Out of 58 Charges levelled against the CSOE, 40 Charges are proved and 12 Charges are partly proved and 6 Charges are not proved.
2. On perusal of EPP/ special audit report/other relevant documents, it is observed that CSOE maintained/showed utter negligence while sanctioning/enhancing the loans.
3. Even withheld of lending power of the CSOE, he sanctioned/enhanced the loans the loans for which CSOE/defence argued that lending power was withheld for fresh sanction whereas it was a case of renewal with enhancement but vide RO letter dated 19/03/2020 mentioned as under

"We have come to understand that advances portfolio of the branch is general and sanctioning of fresh loans & advances are not being managed properly as required, for instance we have been provided alerts for reckless financing/disbursement in numbers of borrowal accounts and bank interest appears to be at jeopardy. In the aforesaid circumstance you are hereby advised not to exercise your lending powers in favour of any

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applicant excepting Demand loans against securities till further order"

Based on above, it evident that the Charge is proved levelled against the CSOE.

4. In many enhancements, CSOE has not reported the same in control return for which Defense/CSOE argued that fresh sanctions reported which is not acceptable
5. The loans were enhanced without having application/process note/any other loan documents/proper justification and on observing from the floor of enquiry and relevant documents, complete set of loan documents are not available
6. For Creation of Charge, most of loans Charge was created on Khatauni but not register office
7. On observing the latest likely loss statement, most of the account are CKCC and are in standard position.

Therefore, in view of the above, considering the all facts, records and gravity of the proven charges, undersigned as a Disciplinary Authority, award the following consolidated penalty to the CSOE;

"Dismissal which shall ordinarily be a disqualification for future employment" in terms of Regulation 4(j) of Central Bank of India Officer Employees' (Discipline & Appeal) Regulations, 1976 as amended up to date.

It is ordered accordingly.

Note 1:

Appeal if any, under Regulation 17 of Central Bank of India Officer Employees' (Discipline & Appeal) Regulations, 1976 may be filed within 45 days from the date of receipt of the order.

Note 2:

In view if any, Under Regulation 18 of Central Bank of India Officer Employees' (Discipline & Appeal) Regulations, 1976 may be filed within Six months from the date of receipt of the order.

(C. B. Jha)
Disciplinary Authority/
Assistant General Manager
Stressed Assets Management, CO

To
Mr. Md. Tarique,
Employee No. 126856,
Manager (Scale-II),
Lead Bank Office, Padrauna under Gorakhpur Region



Mohd Atif
Advocate
Reg. No. U.P. 10775/202
OATH COMMISSIONER
High Court, Allahabad
No. 22764
Date 22/6/25

30. Aforesaid details are discussions on few charges and from bare reading of it, Court can easily conclude that Disciplinary Authority has taken pain to consider each charge in detail, documents submitted in order to prove charge, submissions and defence of petitioner, findings of inquiry officer and thereafter gave his own reasoned findings.

31. As referred above, in regard to Charge No.1, petitioner has sanctioned CC Limit under Cent Mudra Loan of Rs. 4.50 Lacs on 21.12.2019. Said limit was enhanced from Rs. 4.50 Lacs to Rs. 24.50 Lacs on 27.10.2020 i.e. within 10 months and within further six months, on 06.02.2021, it was again enhanced from Rs. 24.50 Lacs to 34.50 Lacs. Aforesaid enhancement was done without proper decision justification for enhancement of limit from 4.5 Lacs to 24.50 Lacs and further to 34.50 Lacs. It was enhanced without any application, process note, sanction letter and loan documents i.e. absolutely contrary to prescribed procedure. All required documents for sanctioning loan were also not found. Net sale of companies were also not verified. CE RSAI was also not modified. It was a clear example of misconduct and dereliction of duties. Similar irregularities were committed in other about 50 loan accounts being part of the charge sheet.

32. Court also takes note of Charge No. 52 which is in regard to 174 CKCC Loan Accounts wherein petitioner has sanctioned loan avoiding multilayer approach (loan sanctioned by single handedly), as such due process was not followed. Petitioner did not adhere to prescribed lending norms with regard to processing and abused his lending powers. Process note, memo of sanction of credit loan was to be done by 2 Officers but it was done by

petitioner himself as well as signature of Processing Officer was conspicuously left.

33. The Charge No. 50 was about irregularities committed in 109 CKCC loan accounts where limit was enhanced in CBC in excess of actual sanction (limit manipulated in CBC) without following due process.

34. Aforesaid details are sufficient that petitioner has repeatedly committed dereliction of duties and proceeded contrary to prescribed procedure for sanctioning loan, enhancing limit or other connected proceedings. Explanations given by the petitioner were duly considered and vague submissions that he was new to said responsibility was rightly rejected. Therefore, as observed in **Boloram Bordoloi (supra)** as well as in **State of Rajasthan vs. Bhupendra Singh, 2024:INSC:592 : 2024 SCC Online SC 1908** that once there is no error in decision making process, outcome of Disciplinary Authority may not be interfered. Para 29 and 30 of Bhupendra Singh (supra) being relevant for present case are mentioned below :-

“29. Evidently, while reappraisal of facts and evidence is not impermissible by the High Court, the infirmity in the underlying order has to be greater than ordinary. It is not the respondent's case that due to omissions by the appellants in substantive and/or procedural compliances, prejudice has ensued to him. Let us examine the aspect independently too. The facts reveal that an earlier removal order was quashed, and a copy of the Enquiry Report alongwith the RPSC's opinion was supplied to the respondent. The respondent, thereafter, received an opportunity to submit a written representation, which he availed of. Further, he was afforded an opportunity of hearing as well. In this view, we are unable to find any violation of the principles of natural justice.

30. Before the Enquiry Officer, 13 witnesses and 75 documents were exhibited on behalf of the Authority. 3 witnesses deposed in defence of the delinquent employee-respondent. Considering the evidence on record, the Enquiry Officer by his report held certain charges levelled against the respondent to have been proved in full/part. Subsequently, a fresh Removal Order was passed, agreeing with the conclusions drawn by the enquiry officer. This Removal Order cannot be said to be based on 'no evidence'. On perusal thereof, we find that the Removal Order is reasoned as on the aspects where the Disciplinary Authority disagreed with the Enquiry Officer's report, reasons therefor have been assigned. On the areas of agreement, the Removal Order bears discussion on the relevant evidence."

35. Last argument of quantum of punishment is also liable to be rejected since petitioner has committed various irregularities and was punished after a due process. Punishment was already reduced from dismissal from service to removal from service which does not require any further interference.

36. Court also takes note that no loss or allegation of fraud was levelled against the petitioner, however, it would not favour case of petitioner since in such cases, actual loss is not necessary. Once prescribed procedure for disciplinary proceedings were followed and it was found that petitioner was failed to being diligent towards his duties and evidence was sufficient to prove charges against him, no interference is warranted.

37. Considering overall facts and circumstances of the case, Court does not find any ground to interfere with impugned orders. Accordingly, writ petition lacks merit, hence, **dismissed**.

Order Date :- August 06, 2025

N. Sinha

[Saurabh Shyam Shamshery, J.]