



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 31ST DAY OF JANUARY, 2026

PRESENT

THE HON'BLE MR. JUSTICE D K SINGH

AND

THE HON'BLE MR. JUSTICE C.M. POONACHA

WRIT PETITION NO. 2931 OF 2021 (L-RES)

BETWEEN:

THE GENERAL MANAGER (P)
STATE BANK OF INDIA,
ZONAL OFFICE, REGION-IV,
NO.65, ST. MARKS ROAD,
BENGALURU-560 001,
REPRESENTED HEREIN BY THE
ASSISTANT GENERAL MANAGER,
(PER AND HR) SBI, LHO,
BENGALURU-560 001.

...PETITIONER

(BY SRI. TULSI KUMAR B.N, ADVOCATE)

AND:

MR.B.R. JAGADEESH
NO.505, 15TH MAIN,
3RD STAGE, B BLOCK
VIJAYANAGARA
MYSORE 570030.

...RESPONDENT

(BY SRI. B.R. JAGADEESH, ADVOCATE)

THIS WP IS FILED UNDER ARTICLES 226 & 227 OF THE
CONSTITUTION OF INDIA PRAYING TO DIRECT ISSUANCE OF

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signed by
NIRMALA
DEVI

Location:
HIGH
COURT OF
KARNATAKA



A WRIT OF CERTIORARI OR ANY OTHER WRIT, DIRECTION OR ORDER QUASHING/SETTING ASIDE THE AWARD DATED 16/03/2020 PASSED BY THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT (CGIT), IN CR NO.45/2006, IN RESPECT OF THE REDUCTION OF THE PENALTY IMPOSED AND TO RESTORE THE PENALTY OF STOPPAGE OF FIVE INCREMENTS WITH CUMULATIVE EFFECT AS ORDERED BY THE DISCIPLINARY AUTHORITY AND ETC.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE D K SINGH
and
HON'BLE MR. JUSTICE C.M. POONACHA

ORAL ORDER

(PER: HON'BLE MR. JUSTICE D K SINGH)

1. The present intra Court appeal has been filed impugning the judgment and award dated 16.03.2020 passed by the Central Government Industrial Tribunal cum Labour Court (CGIT) in C.R. No.45/2006.

2. Respondent was subjected to the Domestic Enquiry for the following three charges:

a) On 02.12.2000, he shouted against the Deputy Manager, Officiating as Branch Manager. When instructed to attend the work related to LBR returns; he used derogatory



and insulting language and refused to attend to the allotted work, in the presence of staff members and public.

b) On 04.12.2000, he threw the letter served on him by the above officiating Branch Manager in presence of the Branch Manager and shouted at him using derogatory and insulting language in presence of staff members and public.

c) He threatened his colleagues of filing Police complaint by taking caste as a shelter

3. The inquiry officer in the inquiry report held the charges proved against the respondent-employee. The disciplinary authority imposed the major punishment of stoppage of five increments on the Respondent - delinquent employee. The said order of punishment was the subject matter of the reference before the CGIT.

4. The CGIT having considered the facts and circumstances of the case and evidence led by the parties held that the punishment imposed on the delinquent employee was not for



the charge of moral turpitude or financial loss caused to the bank and therefore, it reduced punishment of the stoppage of the five increments to stoppage of the three increments w.e.f. October 2005 with cumulative effect instead of stoppage of five increments with cumulative effect.

5. The learned counsel for the petitioner has submitted that under Section 11A of the Industrial Disputes Act, 1947, the Industrial Tribunal/ Labour Court has discretion to interfere in case of removal and dismissal from service and not in respect of other punishments awarded by the competent authority.

6. We have considered the submissions and also gone through the charges. We are in agreement with the order passed by the CGIT that the charges do not pertain to the moral turpitude or causing financial loss to the Bank. There may be some substance in the submission made by the learned counsel for the petitioner, but considering that the respondent - employee was only a Clerk in the bank, the CGIT has reduced the punishment from stoppage of five increments with cumulative effect to stoppage of three increments with cumulative effect.



7. We are of the view that we should not interfere with the impugned order passed by the CGIT in the facts and circumstances of the case and nature of charges for which the disciplinary proceedings were instituted against the respondent-employee. However, the question of law is kept open. The said order should not be treated as precedent.

**Sd/-
(D K SINGH)
JUDGE**

**Sd/-
(C.M. POONACHA)
JUDGE**