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HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 2378 of 2015**

- Bhau Ram Tandan S/o Late Shyamlal Tandan Aged About 57 years Working As Branch Manager At Branch Kunda Of Chhattisgrh Rajya Gramin Bank, Police Station- Kunda, Tahsil Pandariya District Kabirdham Kwardha (C.G.)

---- Petitioner**Versus**

1. Chhattisgarh Rajya Gramin Bank Through Chairman Of Head Office Mahadev Ghat Road, Sundarnagar Raipur, District Raipur (C.G.)
2. General Manager (Administrative) Disciplinary Authority Chhattisgarh Rajya Gramin Bank, Raipur, Mahadev Ghat Road, Sundarnagar Raipur District Raipur (C.G.)

---- Respondents

For Petitioner	:	Shri AK Yadav, Advocate
For Respondents	:	Shri NN Roy, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****06/07/2015**

1. Petitioner, who is working as Officer Grade-II in the Chhattisgarh Rajya Gramin Bank, has assailed the legality and validity of the order Annexure P-1 dated 30-3-2015, whereby the disciplinary authority of the Bank has constituted a departmental enquiry against him by serving a charge-sheet.
2. Shri Yadav, learned counsel for the petitioner would submit that the charge-sheet contains charges concerning disbursal of loan to various persons in the year 2005-06, thus, about ten years have elapsed after the incident, therefore, the charge-sheet is delayed. He would submit that the Bank had

earlier issued a show-cause notice in November, 2011, to which the petitioner had duly replied, however, no action was taken for the last about four years, therefore, also the impugned order constituting the departmental enquiry is *mala fide* because the same has been issued when the petitioner made representation for his promotion.

3. Petitioner has not brought to the notice of this Court any rule framed by the Bank, wherein it is provided that after ten years of the incident a departmental enquiry cannot be constituted. The charges contained in the charge-sheet is of irregular disbursal of loan to various persons, on the basis of forged revenue record.
4. It is settled principle of law that neither the disciplinary proceedings nor the charge-sheet be quashed at a initial stage as it would be a premature stage to deal with the issues. (See: **Secretary, Ministry of Defence And others v. Prabhash Chandra Mirdha**¹)
5. In view of the above, this petition deserves to be and is hereby dismissed.

Sd/-

JUDGE

(Prashant Kumar Mishra)

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¹ (2012) 11 SCC 565