

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 5219 OF 2003

ARUN BHANDASRAO JADHAV
VERSUS
MARATHWADA GRAMIN BANK SHIVAJINAGAR NANDED

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Advocate for Petitioners : Mr. Y.P. Deshmukh h/f Mr. P.G. Deshmukh

Advocate for Respondent : Mr. M.M. Patil Beedkar

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**CORAM : A. V. NIRGUDE AND
V. K. JADHAV, JJ.**

DATED : 11th SEPTEMBER, 2015

P.C. :-

1. In view of change of name of the respondent Bank, the petitioner is allowed to carry out amendment in the petition.

Amendment shall be carried out during the course of day.

2. The petitioner challenges the legality and validity of order dated 6.12.2002, passed by the respondent Bank, being the appellate authority in disciplinary proceedings against the petitioner. The impugned order is at page 47 of the petition. It only mentions that the appeal is dismissed. No reasons are mentioned as to why the appeal is dismissed. In the impugned order, though it is mentioned that the oral submissions were heard and record was perused, in our view, the impugned order is not proper as reasons

are not recorded. In view of the above, we pass the following order:-

O R D E R

- I. The impugned order dated 06.12.2002 passed by the appellate authority is quashed and set aside.
 - II. The appellate authority shall hear the appeal of the petitioner *de-novo*. Hearing of the appeal would involve perusal of record. Written as well as oral submissions made on behalf of the parties should be taken on record and reasoned order should be passed for disposal of the appeal, within three months from today.
 - III. The respondent Bank shall intimate the date of hearing of appeal to the petitioner at least one week in advance.
 - IV. The subject of hearing of appeal shall be mentioned in the regular agenda of meeting of respondent Bank.
3. With the above directions, writ petition is disposed of. Rule is made absolute accordingly.

(V. K. JADHAV, J.)

(A. V. NIRGUDE, J.)

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