

UNREPORTED

IN THE HIGH COURT OF JUDICATURE AT

BOMBAY

BENCH AT AURANGABAD .

WRIT PETITION NO.4407 OF 2014.

Dayanand Wamanrao Waghmare,

Age : 45, Occu. : Nil,

R/o Triratna Niwas, Bank colony,

VikaramNagar, Latur

.. Petitioner

Versus

1. Maharashtra Gramin Bank,
Head office At Shivaji Nagar,
Nanded through it's Chairman / Disciplinary
Authority

2. A. B. Niturkar,
Enquiry Officer, Maharashtra Garamin Bank
Shivaji Chowk, Latur,
At present Kingaon Branch,
Tq. Ahmedpur, Dist. Latur .. Respondents

Shri R. D. Biradar, Advocate for Petitioner

Shri Milind M. Patil (Beedkar), Advocate for the
Respondent Nos. 1 and 2

**CORAM : S. V. GANGAPURWALA &
V. K. JADHAV, JJ.**

DATE : 06TH JULY, 2015.

ORAL JUDGMENT (Per S.V.Gangapurwala,J.)

1. Heard.

2. Rule. Rule returnable forthwith. With the consent of parties the petition is taken up for final hearing.

3. Mr. Biradar, the learned counsel for the petitioner states that, the appeal filed by the petitioner has been dismissed without assigning any reasons. According to the learned counsel, the appellate authority was required to apply its mind to the grounds raised by the present petitioner in appeal and then only could have passed the order.

4. Mr. Patil, the learned counsel for the respondents states that, the authority has considered the entire record and thereafter has arrived at a conscious decision by passing a Resolution. The petitioner has admitted his guilt and the fraud committed by him. In light of that, no separate reasons were required.

4. It is not a matter of dispute that, the authority exercising the appellate jurisdiction was exercising quasi judicial powers. It is the cardinal and fundamental principle of civil jurisprudence that when an order is being passed by any quasi judicial or administrative authority,

the same has to be supported by reasons. In fact, reasons are the lifeline of any quasi judicial/administrative orders. Reasons depict the application of mind of the authority passing the order.

5. Perusal of the impugned order passed by the authority, it is manifest that the same is bereft of any reasons. It only states that, entire record of enquiry proceedings and other relevant papers are perused and after discussion the Board has resolved that the punishment awarded by the disciplinary authority is proper and hence the appeal is rejected. The appellate authority was expected to give some reasons in support of its findings as to why it does not consider the case put forth by the present petitioner in appeal.

6. Considering the above, the impugned order passed by the appellate authority cannot be sustained. In result we pass the following order -

ORDER

1. The impugned order is quashed and set aside to that extent.
2. The appellate authority shall decide the appeal filed by the present petitioner against the order of dismissal

afresh on its own merits in accordance
with law and by giving reasons.

7. Rule accordingly made absolute. No
costs.

(V.K.JADHAV, J.)

(S.V.GANGAPURWALA, J.)

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