

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

FRIDAY, THE 16TH DAY OF OCTOBER 2015/24TH ASWINA, 1937

WP(C).No. 2147 of 2005 (E)

PETITIONER:

**K.T.BERCHMANS,
HEAD CASHIER, STATE BANK OF TRAVANCORE, BHARANANGANAM
KATTOOR HOUSE, CHOONDACHERRY P.O., KOTTAYAM DISTRICT.**

BY SRI.K.T.BERCHMANS (PARTY-IN-PERSON)

RESPONDENTS:

- 1. STATE BANK OF TRAVANCORE
REPRESENTED BY THE GENERAL MANAGER (OPERATIONS)
HEAD OFFICE, POOJAPURA
THIRUVANANTHAPURAM.**
- 2. THE ASST. GENERAL MANAGER III (K),
STATE BANK OF TRAVANCORE, ZONAL OFFICE, KOTTAYAM.**
- 3. THE DEPUTY GENERAL MANAGER,
STATE BANK OF TRAVANCORE, ZONAL OFFICE, KOTTAYAM.**
- 4. THE BRANCH MANAGER, SBT,
BHARNAGANAM BRANCH, KOTTAYAM DISTRICT.**

BY ADV. SRI.P.RAMAKRISHNAN

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 16-10-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER'S EXHIBITS :-

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| EXT.P1 | - | MEMORANDUM OF SETTLEMENT DATED 06.07.1993. |
| EXT.P2 | - | ORDER OF DEPUTATION OF 4TH RESPONDENT DATED 18.11.2004. |
| EXT.P3 | - | COPY OF THE REPRESENTATION OF THE PETITIONER DATED 20.11.2004 TO 2ND RESPONDENT. |
| EXT.P4 | - | COPY OF THE MEMO DATED 26.11.2004 2ND RESPONDENT TO THE PETITIONER. |
| EXT.P5 | - | COPY OF THE REPRESENTATION OF THE PETITIONER BEFORE THE 2ND RESPONDENT DATED 26.11.2004. |
| EXT.P6 | - | COPY OF THE MEMO DATED 06.12.2004 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER. |
| EXT.P7 | - | COPY OF THE MEMO DATED 14.12.2004 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER. |
| EXT.P8 | - | COPY OF THE ENQUIRY ORDER DATED 30.12.2004. |
| EXT.P9 | - | COPY OF THE ENQUIRY NOTICE DATED 05.01.2005. |
| EXT.P10 | - | COPY OF LETTER NO.AGM/III/K/M/19 DATED 31.01.2005 FROM THE ENQUIRY OFFICER CALLING THE PETITIONER TO BE PRESENT AT THE ENQUIRY ON 07.02.2005. |
| EXT.P11 | - | COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE THE ENQUIRY OFFICER DATED 05.02.2005. |
| EXT.P12 | - | COPY OF THE LETTER DATED 07.02.2005 SENT BY THE ENQUIRY OFFICER. |
| EXT.P13 | - | COPY OF ENQUIRY REPORT AND OTHER RECORDS SUBMITTED BY THE ENQUIRY OFFICER. |
| EXT.P14 | - | COPY OF THE LETTER NO.AGM/III/K/G/M/26 DATED 23.02.2005 FROM THE ENQUIRY OFFICER. |
| EXT.P15 | - | COPY OF THE REPLY DATED 05.03.2005 BY THE PETITIONER TO THE ENQUIRY OFFICER IN RESPECT OF EXT.P14. |
| EXT.P16 | - | COPY OF THE LETTER NO.DGM/K/DPC/EO/5/180 DATED 12.03.2005 WRITTEN BY THE 2ND RESPONDENT TO THE PETITIONER. |

[CONTD.....]

- EXT.P17 - COPY OF THE REPLY TO THE ABOVE EXT.P16 BY THE 2ND RESPONDENT TO THE PETITIONER.
- EXT.P18 - COPY OF THE LETTER NO.DGM/KTM/DAC/106 DATED 09.10.1997 BY THE DISCIPLINARY AUTHORITY TO THE ENQUIRY OFFICER.
- EXT.P19(A)& (B)- COPY OF THE NOTICE AND APPRECIATION LETTER IN RESPONDENT OF THE PETITIONER'S SOCIAL CIRCLE ACTIVITIES.
- EXT.P20(A) - COPY OF THE MEMO NO.DGM/KTM.DPC/498 DATED 25.10.2000.
- EXT.P20(B) - COPY OF CHARGE SHEET NO.DGM/KTM/DPC/620 DATED 06.01.2001.

RESPONDENTS' EXHIBITS:-

- EXT.R2(A) - COPY OF THE REPRESENTATION DATED 16.09.2002 SUBMITTED BY THE PETITIONER.
- EXT.R2(B) - COPY OF THE ORDER OF PUNISHMENT DATED 27.11.2002 GIVEN TO THE PETITIONER.
- EXT.R2(C) - COPY OF THE LEAVE APPLICATION DATED 23.02.2005 BY THE PETITIONER.

//TRUE COPY//

P.A. TO JUDGE

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K. VINOD CHANDRAN, J.

W.P(C). No.2147 of 2005

Dated this the 16th day of October, 2015.

JUDGMENT

There is no appearance for the petitioner, though there was initially a counsel appearing for the petitioner. On relinquishment, it is seen that the party-in-person's name is shown.

2. The learned Standing Counsel for the respondent Bank would submit that the above writ petition was filed, challenging the initiation of a disciplinary proceedings. Subsequent to that, in the year 2006, the petitioner was proceeded against for a different charge and was also discharged from service. The counsel further submits that the respondent Bank does not intend to proceed with the instant disciplinary proceedings.

In such circumstance, the writ petition is found to be infructuous and dismissed. No costs.

Sd/-
K. VINOD CHANDRAN,
JUDGE

//True Copy//

sp/16/10/15

P.A. to Judge.