

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

MONDAY, THE 13TH DAY OF JULY 2015/22ND ASHADHA, 1937

WP(C).No. 20465 of 2015 (G)

PETITIONER : -

VBHARGHAVAN PILLAI,
S/O.LATE VISWANATHA PILLAI,
'ASWATHI', MARUTHUMOOD,
CHETTACHAL P.O, VIA VITHURA,
THIRUVANANTHAPURAM.

BY ADV.SRI.K.B.PRADEEP

RESPONDENTS : -

1. THE CHAYAMSERVICE CO-OPERATE BANK LTD. NO.1514,
CHETTACHAL P.O, VITHURA, THIRUVANANTHAPURAM,
REPRESENTED BY ITS SECRETAR,
PIN - 695 551.
2. THE CO-OPERATIVE ARBITRATION COURT,
THIRUVANANTHAPURAM - 695 001.

BY SR. GOVERNMENT PLEADER SRI. K.C. VINCENT

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
13-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 20465 of 2015 (G)

APPENDIX

PETITIONER'S EXHIBITS : -

EXHIBIT P1 : COPY OF THE ARBITRATION CASE NO.115/2010.

EXHIBIT P2 : COPY OF THE TABLE SHOWING THE VARIOUS POSTING DATES OF
EXT.P1 CASE.

RESPONDENTS' EXHIBITS : - NIL.

// TRUE COPY //

P.ATO JUDGE

DMR/-

DAMA SESHADRI NAIDU, J.

W.P.(c) No. 20465 of 2015

Dated this the 13th day of July, 2015

JUDGMENT

Heard the learned counsel for the petitioner and the learned Government Pleader for the respondent, apart from perusing the record. Since the issue lies in a narrow compass, this Court proposes to dispose of the writ petition at the admission stage itself.

2. The petitioner, a Salesman in a branch of the first respondent, was placed under suspension by order dated 20.06.2009, for the alleged misconduct involving deficit of stock worth Rs.11,843/- and also misbehavior with the Secretary of the respondent Bank.

3. When the disciplinary proceedings resulted in the dismissal of the petitioner, he filed A.R.C. No. 115/2010 before the second respondent. Ventilating his grievance that though the matter was heard finally about two years ago, so far the ARC has not been disposed of to this day, the petitioner has filed the present writ petition.

4. In response to the submissions made by the learned counsel for the petitioner, the learned Government Pleader, on instructions, has submitted that owing to change of the Officer, the ARC could not be disposed of expeditiously. He has also further submitted that all through the respondent Bank has not extended proper co-operation for the disposal of ARC. He has, however, submitted that the learned Arbitrator will make every endeavour to dispose it of within three months, because the learned Arbitrator has to rehear the matter.

Expecting the respondent Bank to co-operate for an expeditious hearing and disposal of the matter, this Court disposes of the writ petition with a direction to the second respondent to consider ARC No. 115/2010 on merits and dispose it of in accordance with law, as expeditiously as possible, at any rate, within a period of three months from the date of receipt of a copy of this judgment.

With the above observations, this writ petition is disposed of.

DAMA SESHADRI NAIDU
JUDGE

DMR/-