HON'BLE SRI JUSTICE R.KANTHA RAO

Review W.P.M.P.No.34924 of 2015
in W.P.No.12515 of 2013,
Review W.P.M.P.No.34927 of 2015
in W.P.No.28485 of 2014
and
Review W.P.M.P.No.35278 of 2015
in W.P.No.28490 of 2014

Common Order:

Heard Sri R.K. Suri, learned counsel appearing for the review petitioner/writ petitioner and Sri Ambadipudi Satyanarayana, learned Standing Counsel for the respondents-Indian Bank.

2. All these review petitions have been filed against the common order dated 06-8-2015 in W.P.Nos.12515 of 2013, and 28485 and 28490 of 2014 passed by this Court dismissing the writ petitions filed by the review petitioners.

3. I have gone through the grounds of review petitions and also the contentions urged by the respondents-Bank in the counter-affidavits. One of the grounds urged in the review petitions is that the admission of misappropriation by the petitioner is not voluntarily but by mistake while the petitioner was under pressure due to certain incidents in the family. The other grounds urged are that the case of the petitioner as required by the Regulations of the Bank was not examined at the

Vigilance angle prior to initiating disciplinary proceedings and that the punishment is shockingly disproportionate and is not in tune with the misconduct alleged against the petitioner and therefore, in the review, the punishment has to be modified to that of with-holding of some increments with cumulative effect which is also a major penalty.

4. All these grounds which are now raised in the review petitions were discussed at length in the common order passed by this Court in the writ petitions and all the contentions put-forth by the petitioners have been answered elaborately. As regards the modification of punishment in the review petitions, it has to be stated that taking into consideration all the relevant facts, this Court confirmed the punishment passed by the Disciplinary Authority and in a review, this Court is not supposed to alter or modify the punishment.

5. The judgments in **PEPSU RTC v. MANGAL SINGH**[1], **KOTHARI FILAMENTS v. COMMR. OF CUSTOMS**[2] and **NAGARJUNA CONSTRUCTION CO. LTD. v. GOVT. OF A.P.**[3] have been relied on by the learned counsel appearing for the review petitioners in support of his contention. Similar judgments have been relied on by the petitioner in the writ petitions and the issues were discussed in detail and appropriate conclusions were arrived at. The review jurisdiction is

exercised by this Court only when there is an error apparent on the face on record or the findings or conclusions are reached without considering any material which is relevant or when the issues have been decided basing on the material which is irrelevant.

In the review petitions, no separate grounds other than which were urged in the writ petitions have been raised. I do not think that any case to review the common order passed by this Court is made out. Hence, the review petitions are dismissed. No costs.

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R.KANTHA RAO, J.

04th March, 2016.
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Note:-
Issue C.C. by 08-3-2016.
(B/o)
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[1] (2011) 11 SCC 702

[2] (2009) 2 SCC 192

[3] (2008) 16 SCC 276