

FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.11565 OF 2016

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr.Kuldeep U. Nikam for the petitioner

CORAM : K. K. TATED, J.
DATE : NOVEMBER 18, 2016

P.C.:

1 Heard the learned counsel for the petitioner.

2 By this petition under Article 227 of the Constitution of India, the Petitioner challenges the judgment and orders dated 6.10.2012 and 25.2.2013 passed by Labour Court, Sangli in Complaint (ULP) No.26 of 2003 and judgment and order dated 30.11.2015 passed by Industrial Court, Sangli in Revision Application (ULP) No.24 of 2013 upholding the petitioner's dismissal from service.

3 In the present proceedings, petitioner was working as a Branch manager of Bahubali Zilla Nagari Sahakari Pat Sanstha Maryadit, Jaysingpurm Shirol, Kolhapur. Petitioner made misappropriation of fund of the Fixed Deposit Holders for temporary period and also used to collect money for issuing no objection certificate to

the customers. Hence, the respondent issued charge sheet dated 16.10.2002 to the petitioner. After following due process of law, they terminated petitioner's service on 5.5.2003. That was challenged by the petitioner by filing complaint (ULP) No.26 of 2003. It is to be noted that bare reading of charge sheet dated 16.10.2002 shows that the petitioner as a Bank Manager used to misappropriate bank fund. Apart from that she used to collect unaccounted money at the time of issuing no objection certificate to their customers. Those things were proved by the respondent during the enquiry. Apart from that there is a concurrent finding of fact recorded by both the courts below.

4 Considering these facts and the charges against the petitioner about collection and misappropriation of public fund, I do not find any substance in the present Writ Petition.

5 Hence, Writ Petition stands rejected.

JUDGE