

IN THE COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO.6091 /2016

(Shri Tarkeshwar Vaikunth Thakre vs. The Chairman, Navoday Urban Co-op. Bank and others)

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Office Notes, Office Memoranda of
Coram, appearances, Court's orders
of directions and Registrar's orders

Court's or Judge's order

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None for the petitioner

**CORAM : SMT. VASANTI A. NAIK &
MRS. SWAPNA JOSHI, JJ.
DATED : 17th November, 2016.**

It is the case of the petitioner that in the departmental proceedings that are initiated against the petitioner, the respondents have not supplied the relevant documents to the petitioner. Also, it is the case of the petitioner that the subsistence allowance is deposited by the respondent-Bank in the savings bank account of the petitioner that is blocked by the respondent-Bank and hence the petitioner is not in a position to utilize the subsistence allowance.

If the petitioner has a grievance in respect of non-supply of relevant documents to the petitioner during the pendency of the departmental enquiry, the petitioner could raise an objection at the time of enquiry and even after the conclusion of the enquiry if an adverse action is taken against him. Also, the petitioner could avail the remedy of challenging the action on the part of the respondents of sealing the bank account of the petitioner in appropriate

proceedings. The direction cannot be issued during the pendency of the departmental enquiry to the respondent-Cooperative Bank to provide the necessary documents to the petitioner during the pendency of the enquiry. Also, the question of entitlement of the petitioner to full wages with effect from 26.3.2016 could be considered in appropriate proceedings.

Since no indulgence would be proper during the pendency of the departmental enquiry and since the questions could be agitated by the petitioner during the continuation of the enquiry and after culmination thereof, we dispose of the Writ Petition, with no order as to costs.

The points raised in the Petition are kept open.

JUDGE

JUDGE

safare