

THE HON'BLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION No.12171 of 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India, for the following relief:

“to issue an appropriate writ, order or direction more particularly one in the nature Writ of Mandamus declaring the action of the 2nd respondent in continuing the petitioner under suspension from 13.7.2012 onwards without reviewing the same even after lapse of about 4 years from the date of suspension and not considering the representations latest being on 24.7.2014 seeking to reinstate into service by revoking the order of suspension as being illegal, arbitrary and is against to the established judicial precedents, and in violation of Articles 14 and 16 of the Constitution of India, and consequently set aside the same with a direction to reinstate the petitioner into service and pass such other order or orders as this Hon'ble Court may deem fit and proper in the interest of justice..”

2. According to the petitioner, he was appointed as Rural Marketing and Recovery Officer, JMG Scale-1 in the respondent Bank on 02.08.2010 and subsequently his services were regularized. By way of proceedings No.(3-(1) (DPC) (AO VSP), dated 13.07.2012, the Deputy General manager (B&O) and Disciplinary Authority placed the petitioner under suspension in terms of Rule 68-A (1) (b) and Rule 68-A (2) of SBI Officers Service Rules on the ground of pendency of investigation in a criminal case. According to the petitioner on 28.07.2014 he submitted a representation dated 24.07.2014 to the fourth respondent to consider his request for consideration of his case for reinstatement by revoking the order of suspension and no action has been taken on the same. It is requested by the learned counsel for the petitioner herein that necessary directions may be issued to the third respondent to take appropriate action on the said representation in accordance with law, by fixing some time frame.

3. On the other hand, it is submitted by the learned Standing Counsel Sri K.V.Ramanna Dora that appropriate orders will be passed in

accordance with law on the representation dated 24.07.2014.

4. In view of the above, the said submission of the learned Standing Counsel is placed on record and writ petition is disposed of, directing the fourth respondent to consider the representation dated 24.07.2014 said to have been submitted by the petitioner herein and pass appropriate orders within a period of two months from the date of receipt of a copy of this order, in accordance with law. As a sequel, the miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

A.V. SESA SAI, J

Date:25.04.2016

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Dated 25th April 2016

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