

THE HON'BLE SRI JUSTICE SURESH KUMAR KAIT

W.P.NO.11412 OF 2011

O R D E R

Vide the present petition, the petitioner sought for the following direction:

“ . . to issue writ of Mandamus, or any other appropriate writ or order or direction declaring the action of the respondents 1 to 5 without giving any sort of reasonable findings or having any sort of material evidence dismissing the petitioner No.1 from the service abruptly as per the order bearing No.688/20/V/6595 dated 31.12.2011 which was communicated to the petitioner No.1 on 30.1.2002 which was received by him on 2-2-2002 passing the dismissal order without any proper enquiry, as illegal, arbitrary and against the principles of natural justice and to direct the respondent No.1 to respondent No.4 to appoint the petitioner No.2 as forth class employee in the 1st respondent – Bank by paying all the back wages of the 1st petitioner from 31.12.2001 to till the date of retirement by fixing all his retirement benefits as well as pensionary benefits and pass any other order or orders as fit and proper in the circumstances of the case.”

The 1st petitioner had already filed writ petition before this court in W.P.No.8432 of 2002, whereby he sought for the following relief:

“ . . to issue an order or orders or directions particularly in the nature of a Writ of Mandamus to quash the impugned disciplinary proceedings relating to charge sheet vide No.688/20/V/2939 dated 1.2.1995 and also the dismissal order passed by the 4th respondent, as illegal, arbitrary, contrary to law and violation of principles of natural justice and further directing the respondents to reinstate the petitioner in the respondent bank with all service and consequential benefits in the interest of justice and pass such other order or orders as this Hon'ble Court deems fit and proper in the circumstances of the case.”

Since the relief sought in the present writ petition has already been sought in the earlier writ petition filed by the 1st petitioner in W.P.No.8432 of 2002 and the same is pending adjudication, the present petition is accordingly dismissed. No costs.

Miscellaneous petitions pending if any, shall stand closed.

SURESH KUMAR KAIT,J

DATE:05—12—2016
AVS