

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

WRIT PETITION No.5314 OF 2016

ORDER:

This Writ Petition, filed under Article 226 of the Constitution of India, challenges the proceedings bearing No.AO/GNT/DPC, dated 22.11.2014 issued by the 3rd respondent – Disciplinary Authority & Deputy General Manager (B&O), State Bank of India, Kannavari Thota, Guntur.

2. Heard Sri K.Srinivas, learned counsel, appearing for the petitioner and Sri B.S.Prasad, learned standing counsel for the respondent bank.

3. According to the petitioner, he is an Assistant Manager in respondent Bank at Karumanchi, Guntur District. By virtue of the impugned proceedings dated 22.11.2014, the 3rd respondent placed the petitioner under suspension in contemplation of departmental enquiry. The sum and substance of the case of the petitioner in the present writ petition is that the respondent authorities did not serve the charge sheet, even after lapse of twelve (12) months, as such, the petitioner is entitled for reinstatement into service.

4. When the matter is called, on the instructions, it is submitted by Sri B.S.Prasad, learned standing counsel for the respondent Bank that vide reference No.AO/GNT/DPC/296, dated 15.07.2015, the Disciplinary Authority issued a charge memo while asking the petitioner to submit his written statement of defence and a copy of the same is placed on record by the learned standing counsel. It is further submitted by the learned standing counsel that in response to the said charges, the petitioner herein submitted his explanation on 01.08.2015 and subsequently, the enquiry was conducted so far on three dates

i.e., 29.10.2015, 22.01.2016 and 24.01.2016. In view of the above, the very foundation for the writ petition is untenable.

5. However, having regard to the nature of controversy, this Court is of the considered opinion that the ends of justice would be met, if the respondents are directed to complete the enquiry by fixing some timeframe.

6. For the aforesaid reasons, Writ Petition is disposed of, directing the respondents to complete the enquiry, subject to the cooperation of the petitioner, pursuant to the proceedings bearing No.AO/GNT/DPC/296, dated 15.07.2015 and pass appropriate orders and communicate the same to the petitioner, within a period of three months from the date of receipt of a copy of this order.

7. Miscellaneous petitions pending consideration, if any, in the Writ Petition shall stand closed in consequence. No order as to costs.

A.V.SESHA SAI, J

29.02.2016
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