

**HON'BLE SRI JUSTICE R.SUBHASH REDDY
AND
HON'BLE SRI JUSTICE A.SHANKAR NARAYANA**

WRIT APPEAL No.505 of 2015

JUDGMENT: *(Per Hon'ble Sri Justice R.Subhash Reddy)*

This Writ Appeal is filed under Clause 15 of the Letters Patent by the petitioner in W.P.No.39167 of 2014 aggrieved by the order, dated 19.01.2015, in the said Writ Petition.

By the aforesaid order, learned Single Judge of this Court has dismissed the writ petition mainly on the ground of delay and latches.

The appellant/petitioner was working as clerk-cum-cashier with the 1st respondent – Bank. Alleging that he has committed serious financial irregularities causing substantial loss to the Bank, disciplinary proceedings were initiated against him and as many as 12 charges were framed. After conducting regular departmental enquiry, based on the enquiry report, the Disciplinary Authority has imposed the punishment of dismissal from service by proceedings dated 17.11.2007. As against the same, the petitioner carried the matter by way of appeal before the departmental Appellate Authority and even the Appellate Authority has rejected the appeal by his order dated 22.05.2008. Having kept silent for more than six years after rejection of the appeal by the Appellate Authority, the petitioner filed the writ petition in the year 2014. In absence of valid explanation for delay and latches, the learned Single Judge has dismissed the writ

petition.

In this writ appeal, it is contended by learned counsel for the appellant that the delay in filing the writ petition has occurred as the appellant waited till conclusion of criminal proceedings.

The orders in disciplinary proceedings are not based on criminal proceedings. When parallel disciplinary proceedings were initiated and the orders in such proceedings were passed after conducting departmental inquiry, there is no reason to accept the explanation of the appellant that he waited till termination of criminal proceedings. In view of the reasons recorded by learned Single Judge and in the absence of valid and sufficient reasons for inordinate delay, we do not find any merit in this appeal so as to interfere with the order passed by the learned Single Judge.

Accordingly, the Writ Appeal is dismissed. No order as to costs.

As a sequel, pending miscellaneous petitions, if any, shall stand closed.

JUSTICE R. SUBHASH REDDY

JUSTICE A.SHANKAR NARAYANA

01.02.2016

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