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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No.1174 of 2016

Date of decision: January 21, 2016

Bhagwan Dass Ahuja

.....Petitioner

Versus

State Bank of Patiala and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Petitioner in person.

SABINA, J

Petitioner has filed this petition under Article 226 of the Constitution of India seeking a writ in the nature of Certiorari for setting aside the orders Annexure P-1 and P-2.

I have heard the petitioner and have gone through the record available on the file carefully.

In the present case, petitioner had filed suit for declaration that the order dated 28.12.1998 (Annexure P-1) conveying the order dated 20.03.1997 be declared illegal, null and void and it be held that the petitioner was entitled to continue in service of the Bank with the further prayer that he should be refunded the excess amount charged on account of House Rent Allowance etc.

Suit filed by the petitioner was dismissed by the trial Court. However, appeal filed by the petitioner was allowed by the First Appellate Court vide judgment/decreree

dated 17.10.2012 and impugned order dated 20.03.1970 was set aside. The disciplinary authority was directed to conduct a regular inquiry against the petitioner before imposing any penalty as prescribed in the Rules and Regulations. Against the said judgment/decreree, respondents have preferred an appeal in this Court and RSA No.1274 of 2013 is pending.

Since the petitioner had already resorted to his remedy by filing a suit challenging his termination, the present writ petition is not maintainable and is disposed of, accordingly.

**(SABINA)
JUDGE**

January 21, 2016
mahavir