

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 2980 OF 2014

Vinay Sheshrao Chaudhari

.. **Petitioner**

Versus

Maharashtra Gram Bank and another

.. **Respondents**

Shri V. D. Sapkal, Advocate for the Petitioner.

Shri Milind M. Patil (Beedkar), Advocate for the Respondents.

CORAM : **S. V. GANGAPURWALA &**
S. M. GAVHANE, JJ.

DATE : **13th November, 2017**

PER COURT :

1. The petitioner on conclusion of the Departmental Enquiry is removed from service. The petitioner filed an appeal before the appellate authority. The appeal is dismissed, aggrieved thereby the present petition.

2. Mr. Sapkal, learned counsel submits that appellate authority has not given any reasons while dismissing the appeal. The ground raised by the appellant are not considered at all and merely has endorsed the judgment of the disciplinary authority without giving any reasons.

3. Mr. Patil, the learned counsel submits that Appellate Authority has concurred with the order of the disciplinary authority, as such, is not required to give reasons in detail. The order shows that the appellate authority has considered the evidence, the depositions and concurred with the order of the disciplinary authority.

4. The reasons now are considered as the 3rd pillar of the principles of natural justice. Reasons depict the application of mind on the part of the authority passing the order. Reasons are paramount to any order being passed. In absence of any reasons being given the order can not be sustained.

5. In view of the fact that the appellate authority has not given any reasons nor has even remotely discussed about the grounds raised in appeal, the impugned order passed by the appellate authority is quashed and set aside. The matter is relegated before the appellate authority to decide the appeal filed by the petitioner afresh, expeditiously and preferably within a period of four (4) months.

6. The writ petition is accordingly disposed of. No costs.

[S. M. GAVHANE, J.]

[S. V. GANGAPURWALA, J.]