

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.28802 OF 2017

ORDER:

This writ petition is filed challenging the proceedings in resolution No.44, dated 22-06-2017 communicated to the petitioner in F.No.385/2017, dated 04-08-2017, wherein the 6th respondent confirmed the order of dismissal against the petitioner dated 22-03-2017 passed by the 3rd respondent.

Learned counsel for the petitioner says that though the appellate authority went beyond the scope of the appeal and on different grounds other than mentioned in the order of dismissal dated 22-03-2017 passed the impugned resolution dated 22-06-2017 confirmed the order of dismissal.

Heard Sri Vedula Srinivas, learned counsel for the petitioner and of Sri Smt.Bobba Vijaya Lakshmi, learned Standing Counsel for the 3rd respondent-bank.

The charges in the charge memo basing on which dismissal order is passed by the 3rd respondent is different and confirmation by the appellate authority is on different grounds, as such, the same is in violation of principles of natural justice.

A reading of the impugned proceedings dated 04-08-2017 and also order of dismissal passed by the 3rd respondent on 22-03-2017 and the charge memo issued to the petitioner go to show that appeal was dismissed on different grounds and travelled beyond the scope of appeal confirming the order of dismissal dated 22-03-2017.

In view of the same, the impugned order is liable to be set aside only on the ground of violation of principles of natural justice.

Hence, the impugned order is set aside. The matter is remanded back to the 6th respondent for fresh disposal after issuing notice to the petitioner and after giving opportunity of hearing to the petitioner. The petitioner can raise all the grounds before the 6th respondent.

Accordingly, the writ petition is allowed to the extent indicated above. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

04-09-2017
Nvl

A.RAJASHEKER REDDY,J





