

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-1358-2015 (O&M)  
Date of Decision:-05.09.2017.

Management UCO Bank, through Zonal Manager, UCO Bank

.....Petitioner

Versus

Presiding Officer, Central Government Industrial Tribunal-cum-Labour  
Court-II, Chandigarh and another

.....Respondents

**CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI**

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Present: Mr. K.P.S. Dhillon, Advocate for the petitioner.

Ms. Sushma Verma, Advocate for respondent No.2.

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**P.B. BAJANTHRI, J. (Oral)**

In the instant writ petition, petitioner has challenged the validity of Annexure P-13 dated 10.10.2014. The respondent-workman while working as a Head Cashier was subjected to disciplinary proceedings and it was concluded in imposing the penalty of compulsory retirement which was the subject matter of litigation before the Central Government Industrial Tribunal-cum-Labour Court-II, Chandigarh (for short 'the CGIT-II, Chandigarh). From the perusal of the order dated 10.10.2014 of the CGIT-II, Chandigarh, it is evident that it is an interim order. Extract of the order reads as under:-

*“In these circumstances, it cannot be said  
that the findings recorded by the disciplinary authority  
are based on any evidence and are not sustainable and*

*are liable to be set aside.*

*In result, the part of the inquiry report in which some of the charges are held to be proved and the order of the punishing authority dated 17.6.2010 vide which it held that the charges are proved against the workman, stands set aside.*

*In the circumstances, the management is given an opportunity to prove the charges against the workman in the Court. The management shall conclude its evidence within six months. Case is adjourned to 4.12.2014.”*

In the above form interim order cannot be passed by the CGIT-II, Chandigarh. Therefore, order dated 10.10.2014 is hereby set aside. Parties are directed to appear before the CGIT-II, Chandigarh on 01.11.2017. The CGIT-II, Chandigarh is requested to complete the proceedings within a period of 4 months from the date of receipt of certified copy of this order. Parties are at liberty to move before the CGIT-II, Chandigarh with any application in accordance with law and also also for taking any contention which has not been urged as on the date of passing the order by the CGIT-II, Chandigarh.

With the above observations, petition stands disposed of.

**(P.B. BAJANTHRI)**  
**JUDGE**

**September 05, 2017.**

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Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.