

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

**Date of decision: 16.03.2017**

**CWP No.5345 of 2017**

T.R.Dogra

...Petitioner

Vs.

Bank of Baroda & others

...Respondents

**CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA**

Present: Mr. P.K.Mutneja, Advocate, for the petitioner.

**RAJIV NARAIN RAINA, J. (ORAL)**

The petitioner is aggrieved by an order of dismissal passed after he retired from service. The petitioner superannuated on 31.08.2012 as Chief Manager of the Bank. The dismissal order was passed on 08.01.2016. The petitioner filed appeal under Regulation 17 of the Bank of Baroda Officer Employees (Discipline & Appeal) Regulations, 1976 to the Appellate Authority. The appeal was presented within limitation on 03.03.2016. His grievance is further that a year gone by but the appeal has not been decided so far. The result of which is the petitioner made representations asking the Bank to decide his appeal on merits and the orders be passed and conveyed to him.

On a query put by the Court regarding territorial jurisdiction, the Court is informed that though the Appellate Authority – respondent No.2 sits in Mumbai, but the disciplinary proceedings were conducted at Ludhiana (Punjab) for allegations against the petitioner based partly in Jalandhar or at Jammu Branch of the Bank. Therefore, this Court has the territorial jurisdiction to pass an order.

The petitioner has a right to speedy justice and a decision on his statutory appeal within a reasonable time. The appeal has been pending for one year without activating it, which is unfair and unreasonable since the pensionary dues and other service benefits have been withheld except CPF and the petitioner is awaiting result of the appeal.

In these circumstances, Mr. Mutneja submits that he would be satisfied on behalf of his client who is also present in Court, if the Court directs the respondent Bank to decide the appeal by time bound.

The request is just and fair and accordingly a direction is issued to the Appellate Authority to consider and decide the appeal by a consolidated decision by passing speaking orders on each of the grounds taken in the appeal and in the present petition, which may be treated as a supplementary appeal, since the issues have been refined and crystallized in the writ petition, according to Mr. Mutneja. Needless to say that the petitioner will be offered an effective and reasonable opportunity of hearing in person before the order is passed in accordance with law and conveyed to the petitioner.

It is expected that the appellate order would project the view of the Appellate Authority charge-wise, if not as elaborately done as the order passed by the Punishing Authority. The process of reasoning is what the Court expects is the doctrine of reasonableness, as enunciated by the Constitution Bench in S.N.Mukherjee Vs. Union of India, AIR 1990 SC 1984, which is a guiding light in all three fields of decision-making i.e. administrative, quasi judicial and judicial. The Appellate Authority would conclude the proceedings within a period of four months from the date of receipt of the certified copy of this order, either from this Court or from the petitioner, whichever is earlier.

This order will not be taken as an expression of opinion on the merits of the case as none have been gone into.

With these observations and directions, the instant petition stands disposed of.

**16.03.2017**  
Vimal

**[RAJIV NARAIN RAINA]**  
**JUDGE**

*Whether speaking/reasoned:* *Yes*

*Whether Reportable:* *No*