

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

**L.P.A. No.1388 of 2016 (O&M)
Decided on : 10.08.2017**

Shivalik Kshetriya Gramin Bank (now Punjab Gramin Bank)

... Appellants

Versus

Harjit Singh and another

... Respondents

**CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR.JUSTICE RAJ SHEKHAR ATTRI**

Present : Mr. G.S.Bajwa, Advocate,
for the appellants.

Mr. R.S.Bains, Advocate,
for respondent No.1.

MAHESH GROVER, J. (Oral)

CM-2910-LPA-2016

In view of the reasons mentioned in the application, delay
of 26 days in filing the appeal is condoned.

Application stands allowed.

Main case

This appeal is directed against the judgment of the learned
Single Judge dated 25.5.2016 accepting the plea of the writ petitioner
whereby he had challenged the adverse remarks given to him
(Annexure P-2). It has been stated in the appraisal report pertaining to

the year 1995-96 as below : -

“ Your performance for the year ended 31st March 1996 has been found unsatisfactory. In this connection, your attention is drawn towards D.E.O. Letter dated 3.7.96 wherein your shortcomings have been pointed out. I hope during the current year you will put your whole hearted efforts to achieve all the targets allocated to you pertaining to Deposits, Advances, Recovery and thereby will improve your performance.

Please acknowledge the receipt.”

The learned Single Judge concluded that there was absolutely no material to warrant such a report and held it to be the result of bias and quashed the impugned order dated 13.9.1996.

Before us, no meaningful arguments have been advanced by the learned counsel for the appellants and to our repeated queries, as to what was the deficiency noticed in the officer, the only intelligible answer given to us is that while appraising performance for the said period, it was noticed that the said officer failed to meet the prescribed targets of the bank. When questioned further as to what was the prescribed target for the period of 1996, it was stated to be ₹ 58 lacs as deposits whereas the employee had fetched ₹ 55.67 lacs as deposits. To our minds, this is not a such performance which could be commented upon adversely. No other material has been shown to us which could be considered as poor reflection on the performance of the said employee.

We are of the opinion that this appeal is totally frivolous. Rather bias is writ large on the face of it when the appellant chose to file such a frivolous appeal against an employee who stands retired.

In view of the above, the appeal stands dismissed with costs of ₹ 25,000/- to be paid to the workman within a period of one month from today.

(MAHESH GROVER)
JUDGE

(RAJ SHEKHAR ATTRI)
JUDGE

August 10, 2017
Paritosh Kumar

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No