

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

907 WRIT PETITION NO. 4658 OF 2018

RAJENDRA KISAN SONAWANE
VERSUS
DEPUTY GENERAL MANAGER STATE BANK OF INDIA AURANGABAD AND
OTHERS

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Advocate for Petitioner : Mr. Patil Vijay B.

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CORAM : S.V.GANGAPURWALA
AND
SUNIL K.KOTWAL, JJ.
DATE : JULY 5, 2018

O R D E R :

Mr. Patil, learned counsel for the petitioner submits that the inquiry conducted was not fair. No proper opportunity was granted to the petitioner. The principles of natural justice were transgressed. According to the learned counsel, on receiving the letter, the petitioner replied, however, abruptly charge sheet was issued. Reply was given to the charge sheet also. Without considering the reply, the inquiry officer was appointed. Learned counsel submits that as the inquiry was not proper, the punishment imposed also does not survive.

2. The arguments on behalf of the petitioner challenging the disciplinary inquiry proceedings would not be tenable, as against the same inquiry and final punishment the petitioner had filed Writ Petition before this Court bearing No. 3209 of 2013. The petitioner moved the authority for leniency in punishment. Thereafter the authority converted the punishment of dismissal into discharge, by virtue of which the petitioner was entitled for gratuity, provident fund and discharge would not operate as an embargo for fresh service with other authorities. Thereafter the Writ Petition No. 3209 of 2013 came to be disposed of under order, dated 19.6.2014.

3. In the light of earlier proceedings, the present Writ Petition challenging the same departmental proceedings would not be tenable.

4. Writ Petition is disposed of accordingly. NO costs.

[SUNIL K.KOTWAL, J.] [S.V.GANGAPURWALA, J.]
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