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

**CIVIL APPLICATION NO.2190 OF 2018
IN
WRIT PETITION NO.3445 OF 2008**

Maharashtra Gramin Bank,
Head Office, Town Centre, Cidco,
Aurangabad & ors.

..APPLICANTS

VERSUS

Nagaorao s/o Kamaji Bamne

..RESPONDENT

Mr M. M. Patil (Beedkar), Advocate for applicants;
Mr S. V. Kurundkar, Advocate for respondent

**CORAM : PRASANNA B. VARALE
AND
SUNIL K. KOTWAL, JJ.**

DATE : 23rd February, 2018

ORAL ORDER:

Heard Mr Patil, learned Counsel appearing on behalf of the applicants.

2. The applicants are before this Court seeking modification of the order passed by this Court on 7th December, 2017. Mr Patil submits that in view of the ground raised that no opportunity of hearing is granted to the respondent herein, this Court relegated the matter to the appellate authority for passing order afresh by grant of an opportunity of hearing to the respondent. This Court also made it clear that no opinion is expressed

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on the merits of the matter including quantum of punishment inflicted by the appellate authority, in the impugned order. Mr Patil submits that resultantly the order of the disciplinary authority was maintained, but the order of the appellate authority was quashed and set aside by directing the appellate authority to decide the matter afresh. He submits that by inadvertent error, at paragraph 8 in the order of this Court, it is stated that impugned order dated 27th November, 2006, passed by respondent No.2 i.e. disciplinary authority and communication/letter dated 1st August, 2007 is quashed and set aside. Mr Patil, thus prays for modification of the order to the effect, modifying paragraph 8 by deleting the words “order dated 27th November, 2006 passed by respondent No.2 i.e. disciplinary authority and maintaining of the communication/letter dated 1st August, 2007 is quashed and set aside.”

3. Mr Kurundkar, learned Counsel appearing on behalf of respondent herein fairly submits that the object of the directions of the Court was to give an opportunity of hearing before the appellate authority. As such, he is not raising any serious dispute to the prayer seeking modification.

4. Considering above referred, the application is allowed. The order dated 7th December, 2017 be modified by deleting the words in paragraph 8 “order dated 27th November, 2006 passed by respondent No.2 – disciplinary authority” and maintaining the words “communication/letter dated 1st August, 2007 is quashed and set aside.”

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Civil Application is disposed of accordingly.

(SUNIL K. KOTWAL, J.)

(PRASANNA B. VARALE, J.)

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