

**CM No.21023-CII of 2018 in
RA-CR No.193-CII of 2018 in
CR No.2744 of 2018**

Punjab & Sind Bank and another

Versus

Narinder Singh Manchanda

Present: Mr. I.P Singh, Advocate and
Mr. R. Kartikeya, Advocate
for the applicants/petitioners.

CM No.21023-CII of 2018

For the reasons mentioned in the application, the same is allowed. Delay of 12 days in filing the review application is condoned.

RA-CR No.193-CII of 2018

Applicants/petitioners have preferred this review application under Order 47 Rule 1 read with Section 151 CPC for reviewing the order dated 02.08.2018 vide which CR No.2744 of 2018 filed by the review applicants/petitioners was dismissed.

Learned counsel for the review applicants/petitioners seeks to re-address the arguments on merits with reference to Regulation 48(1) of the Punjab and Sind Bank Employees Pension Regulation, 1995. Contention of learned counsel for the

review applicants/petitioners is that the petitioners are well within their rights to initiate departmental proceedings against the employee after his retirement.

The civil suit filed by the respondent was decreed by the Courts in hierarchy upto RSA No.4887 of 2009 which was dismissed by the High Court vide order dated 10.09.2015. The plea was raised by the petitioners before the High Court in terms of Regulation 48 of the Punjab and Sind Bank Employees Pension Regulation, 1995 and it was claimed that the judgment and decrees passed by the Courts below were perverse. High Court in view of ratio laid down in **Civil Appeal No.4725 of 2010** titled **UCO Bank and others Vs. Prabhakar Sadashiv Karvade** decided on 20.05.2010 by the Hon'ble Apex Court, **UCO Bank and another Vs. Rajinder Lal Capoor, 2007(6) SCC 694** and **Punjab and Sind Bank Vs. S. Ranveer Singh Bawa, 2004(4) SLR 9 (SC)** concluded in favour of the respondent and plea of the petitioners/appellants in regular second appeal was negated. Even this Court, while dismissing the revision petition has ventured to observe the aforesaid precedents.

It appears that the learned counsel for the petitioners wishes to argue the revision petition on merits under the garb of review application. This is not the scope of Order 47 Rule 1 read with Section 151 CPC.

Finding no merit in the review application, the same is accordingly dismissed.

(RAJ MOHAN SINGH)
JUDGE

28.09.2018

Prince

Whether Reasoned/Speaking

Yes/No

Whether Reportable

Yes/No