

\$~23

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

% ***Date of Order : April 04, 2018***

+ **W.P.(C) 3218/2018 & CM Nos.12748-49/2018**

JAINIS DUBEY Petitioner

Through: Mr.Abhishek Chakraborty, Advocate

versus

BANK OF BARODA Respondent

Through: Mr.Vijay Kumar, Advocate for
Mr.B.S.Chauhan, Advocate

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER
(ORAL)

1. Quashing of memorandum of 15th January, 2018 and notice of 17th March, 2018 requiring petitioner to appear for preliminary hearing on 6th April, 2018 is sought in this petition on the ground that participation in departmental proceedings would gravely prejudice petitioner who is facing criminal trial in which charge sheet has been already filed. Petitioner vide representation of 13th February, 2018 (*Annexure P-6*) had sought putting on hold the disciplinary proceedings till the outcome of the criminal trial on the ground that petitioner will suffer grave prejudice and his defence would be compromised, if petitioner is called upon to disclose his defence in the disciplinary proceedings. The grievance of petitioner is that the representation (*Annexure P-6*) has not been decided till date.

2. In the facts and circumstances of this case, it is deemed appropriate to dispose of this petition and the applications with direction to Deputy General

Manager (NDZ) and Disciplinary Authority of respondent-bank to effectively consider and pass a speaking order on petitioner's representation of 13th February, 2018 (*Annexure P-6*) within a period of four weeks and the fate of said representation be made known to petitioner within a week thereafter, so that petitioner may avail of the remedy as available in law, if need be. Needless to say that till the fate of petitioner's representation (*Annexure P-6*) is made known to him, the preliminary hearing be kept in abeyance.

3. With aforesaid directions, this petition and the applications are disposed of.

Copy of this order be given *dasti* to learned counsel for parties.

(SUNIL GAUR)
JUDGE

APRIL 04, 2018
mamta