

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

901 WRIT PETITION NO.7571 OF 2019

THE CHAIRMAN, KOPERGAON PEOPLES CO-OP BANK LTD & ANR
VERSUS
DATTU PANDHARINATH KAJBE

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Advocate for Petitioners : Shri Dharurkar C.V.
Advocate for Respondent : Shri Barde P.V.

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CORAM : RAVINDRA V. GHUGE, J.
Dated: August 06, 2019

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PER COURT :-

1. This matter was heard on 30.7.2019.
2. The learned Advocate for the petitioner / Bank submits, on instructions from Shri V. H. Rothe, Sr. Officer and Special Recovery Officer of the petitioner / Bank, who is present in the Court, that the work load at Ahmednagar has reduced considerably. The respondent can be accommodated on sympathetic ground only if he admits to undergo a medical examination, keeping in view his peculiar ailment.
3. The learned Advocate for the respondent is agreeable.
4. In view of the above, this petition is disposed off by issuing the following directions:-

(A) The petitioner / Bank would convey to the respondent the date and time on which he would subject himself to a medical examination, with all his medical records.

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(B) In the event the petitioner / Bank has a panel Doctor, he can be examined by such a Doctor.

(C) If the petitioner does not have a Doctor on it's panel, the matter can be referred to the Civil Surgeon at Ahmednagar and the petitioner / Branch Manager at Ahmednagar would arrange for the medical examination as per the convenience of the Civil Surgeon.

(D) In the event, the respondent is held to be medically fit for performing duties, as per the report of the medical examination, the petitioner would allot him a particular date and time, on which, he would report at Ahmednagar.

(E) In the event he is found to be medically unfit, the petitioner would be at liberty to grant retirement to the respondent on medical ground.

(F) In the event of any unforeseen situation, either of the parties are at liberty to approach this Court by filing a civil application in the disposed petition, seeking modification or review of this order.

(RAVINDRA V. GHUGE, J.)

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