

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.6555 of 2019

ORDER

This writ petition is filed seeking the following relief:

“.....to issue any writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the suspension order *vide* proceedings F.No.PRA/IRD/184/1/2017-18 dated 11.08.2017 of the 3rd respondent in placing the petitioner under suspension without modifying or revoking the suspension order in terms of Regulation 12(5)(a)&(b) and for non-payment of subsistence allowance in terms of Regulation 14 of the Indian Overseas Bank Officers Employees (Discipline and Appeal) Regulation 1976 as arbitrary, illegal, bad in law and consequently set aside the suspension order *vide* proceedings F.No.PRA/IRD/184/1/2017-18 dated 11.08.2017 of the 3rd respondent, direct the respondents to pay full salary from the date of suspension with all consequential and attendant benefits and pass such other relief or reliefs as this Hon'ble Court deems fit and proper in the circumstances of the case.”

Heard Sri P.V.L.Bhanu Prakash, learned counsel appearing for the petitioner, and Sri A.Krishnam Raju, learned Standing Counsel appearing for the respondent-Bank.

The petitioner is working as Manager in the respondent-Bank and he is discharging his duties as such. While so, he was placed under suspension *vide* proceedings dated 11.8.2017 on the ground that criminal proceedings were initiated against

him. The grievance of the petitioner is that though he was suspended on 11.8.2017, the respondents are neither revoking the suspension in terms of Regulation 14 of the Indian Overseas Bank Officer Employees' (Discipline and Appeal) Regulations, 1976 (for short 'Regulations') nor paying the subsistence allowance to him. Hence, the writ petition.

Learned counsel appearing for the petitioner submits that appropriate orders be passed directing the respondents to revoke the impugned suspension order strictly in terms of Regulation 14 of the Regulations and to pay subsistence allowance to the petitioner.

Learned Standing Counsel appearing for the respondents contended that based on the criminal case registered by the police against the petitioner, he was placed under suspension and that the case of the petitioner would be considered in terms of Regulation 14 of the Regulations and appropriate orders would be passed in accordance with law.

Having considered the rival submissions made by the learned counsel on either side, this Court is of the considered view that this Writ Petition can be disposed of directing the respondents to revoke the suspension order dated 11.8.2017 strictly in terms of Regulation 14 of the Regulations and pass appropriate orders within a period of eight weeks from the

date of receipt of a copy of this order. It is needless to state that the respondents shall pay subsistence allowance to the petitioner in accordance with the Regulations, if not already paid.

Accordingly, the Writ Petition is disposed of. No costs.

Pending miscellaneous petitions, if any, shall stand closed.

22nd October, 2019
rkk

JUSTICE ABHINAND KUMAR SHAVILI

