

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 10610 OF 2009

Ravindra J. Choudhary. ... Petitioner.
V/s.
The Zonal Manager, Raigad Thane Zone &
Appellate Authority and others. ... Respondents.

Mr.Faran Khan i/b. Mr.R.Sathyanarayanan for the Petitioner.

CORAM : **NITIN JAMDAR AND**
 M.S. KARNIK, JJ.

DATE : **4 March 2020.**

P.C. :

By this petition, the Petitioner has challenged the order passed by the Zonal Manager, the Appellate Authority of the Respondent- Bank of India. The original order passed by the disciplinary authority is dated 15 October 2008. The Petitioner was working with the Respondent- Bank as a Cash Account Clerk. He was served with the chargesheet on 23 July 2008 on the imputation that he had misutilized the access to the Strong Room and had also misutilized the Credit Note Books, ATM Cards and siphoned the amount. A disciplinary enquiry was held. The Petitioner was dismissed from the service on 15 October 2008. Thereafter the

order was confirmed by the Appellate Authority. The petition has been pending since 2009. It was dismissed and restored twice.

2. The learned counsel for the Petitioner submits that the Appellate Authority ought to have taken a lenient view and should have reduced the punishment considering the long service the Petitioner had with the Bank.

3. We have gone through the order of punishment, chargesheet and the appellate order. The allegations levelled against the Petitioner were serious. Due enquiry was held and considering the position held by him, a punishment of dismissal was imposed. We do not find that in writ jurisdiction under Article 226 of the Constitution of India that the punishment of the Petitioner can be directed to be reduced. In the circumstances, the submission of the learned counsel for the Petitioner cannot be accepted. Writ petition is accordingly rejected.

(M.S. KARNIK, J.)

(NITIN JAMDAR, J.)