

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-20910-2011

Date of Decision:-13.01.2020.

Raj Kumar

.....Petitioner

Versus

The Branch Manager, State Bank of India and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR

Present: Ms. M.K. Madahar, Advocate for the petitioner.

Mr. Ashok Gupta, Advocate for the respondents.

SANJAY KUMAR, J. (Oral)

By way of this writ petition, the petitioner challenged the order dated 23.06.2007 passed by the State Bank of India dismissing him from service.

The record reflects that the petitioner initially filed a civil suit in Case No.174 of 02.06.2009 on the file of the learned Civil Judge (Junior Division), Ambala, assailing the very same dismissal order dated 23.06.2007. However, in his wisdom, the petitioner chose to file an application seeking to withdraw the said case reserving liberty to approach this Court. Though the withdrawal application stated so, the order of dismissal passed by the trial Court on 04.11.2011 does not reflect any such liberty having been granted. Perusal of the said order, which is placed on

simpliciter without any liberty being granted to the petitioner to approach this Court to assail the dismissal order.

In the light of the aforestated circumstances, it is not open to the petitioner to lay a challenge to the dismissal order dated 23.06.2007 before this Court at this stage. The writ petition is accordingly dismissed on this short ground. This order shall however, not preclude the petitioner from taking steps before the trial Court in relation to the withdrawal of his suit.

No order as to costs.

(SANJAY KUMAR)
JUDGE

January 13, 2020.

sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.