

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

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(PROCEEDINGS THROUGH V.C.)

CMS-1795 & 1796-LPA-2020 & LPA-659-2020

DATE OF DECISION: OCTOBER 15, 2020

Deepak Kundu

.....Appellant

VERSUS

State Bank of India and others

....Respondents

CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Rapton Bedi, Advocate,
for the appellant.

AUGUSTINE GEORGE MASIH, J. (ORAL)

CM-1795-LPA-2020

Prayer in this application is for condonation of delay of 12 days
in filing the appeal.

Notice of the application.

Ms.Swati Batra, Advocate, puts in appearance and accepts
notice on behalf of the respondents.

For the reasons mentioned in the application, which is
supported by an affidavit of applicant-appellant, the same is allowed and
delay of 12 days in filing the appeal stands condoned.

CM-1796-LPA-2020

Application is allowed as prayed for subject to all just
exceptions.

Exemption is granted from filing certified/true typed copy of impugned order and annexures.

LPA-659-2020

Challenge in this appeal is to the order dated 14.08.2020 passed by learned Single Judge, dismissing Civil Writ Petition No.11843 of 2020 (Deepak Kundu Vs. State Bank of India and others), which was preferred by the appellant, wherein challenge was to the charge sheet dated 25.03.2019 (Annexure P-12) served upon him. Apart from other grounds, which have been dealt with by the learned Single Judge, challenge was also posed to the order of appointing of Enquiry Officer by believing that the said Enquiry Officer is biased against the appellant.

We have considered the submissions made by counsel for the parties and both the parties have agreed that the next date of hearing before the Enquiry Officer is 30.10.2020. Counsel for the appellant states that the appellant would participate and cooperate with the enquiry proceedings and, therefore, prays that the said proceedings be concluded at an early date.

Learned counsel for the respondent-Bank submits that there is no reason why the Enquiry Officer or the respondent-Bank would in any manner delay the enquiry proceedings against the appellant. She states that the appellant initially has not joined the enquiry proceedings and since he now submits that he is ready to cooperate and join the enquiry proceedings with effect from 30.10.2020 and participate in the same, efforts would be made to conclude the disciplinary proceedings against him as early as possible.

In the light of the above consensus reached between counsel for the parties, this Court is sanguine that both the parties would follow and

accept the statements made by their respective counsel and honour the same.

The endeavour of the Court and expectation is that the enquiry proceedings against the appellant be concluded at an early date so that the matter can be put to an end with regard to uncertainty in the enquiry proceedings.

With these observations, the appeal stands disposed of.

(AUGUSTINE GEORGE MASIH)
JUDGE

October 15, 2020
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(ASHOK KUMAR VERMA)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No