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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

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Date of decision: 21.12.2020

+ W.P. (C) 6151/2019, CM Nos. 26445/2019, 26447/2019
ALOK RANJAN Petitioner

Through Mr. Ranjeet Kumar, Advocate.
versus
STATE BANK OF INDIA & ORS. Respondents

Through Mr. Rajiv Kapur and Mr. Akshit
Kapur, Advocates for SBI.

CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH

JYOTI SINGH, J. (ORAL)

Hearing has been conducted through Video Conferencing.

1. Present writ petition has been filed challenging the suspension order dated 01.10.2018. Reliefs claimed are as under:-

- i. *Issue writ of certiorari or any other writ of like nature quashing suspension order dated 01.10.2018 vide letter dated GM/NW-III/3724 issued by the respondent no. 1 against the petitioner employee which has been illegally remaining in effect for about 7 months (more than three months) from the date of suspension without issuing/handing over the charge-sheet/memorandum of charges in violation of the law laid down by the supreme court in Ajay Kumar Choudhary vs. Union of India, reported in (2015) 7 SCC 291 and also in violation of Rule 10(6) & (7) of CCS (CCA) Rules, 1965;*

- ii. *Writ of mandamus or- any other appropriate writ, order or direction thereby directing the respondent no. 2 to adjudicate the appeal filed by the Petitioner;*
- iii. *Writ of mandamus or any other appropriate writ, order or direction thereby directing the respondent no. 1 to 3 to reinstate the petitioner to his original position with full back wages with all consequential benefits; and/or*

2. During the pendency of the present petition, the Disciplinary Proceedings have culminated into a penalty imposed under Rule 67(g) of the erstwhile State Bank of Patiala Officers' Service Regulations 1979 and the Petitioner has been reduced to the initial stage of MMGS-III till retirement. The period of suspension has been treated "not on duty" and except for subsistence allowance already disbursed to the Petitioner, no further allowance is to be paid.

3. Mr. Ranjeet Kumar learned counsel for the Petitioner submits that he has filed a fresh petition assailing the Disciplinary Proceedings and the Penalty order.

4. In view of the above, the present petition has become infructuous and no orders are required to be passed. The same is accordingly disposed of along with the pending applications.

5. Petitioner is at liberty to raise the issue of the suspension period as well as the allowances for the said period at the appropriate stage, in accordance with law including all contentions raised in the present petition.

JYOTI SINGH, J

DECEMBER 21, 2020 /yo