

23
23.02.2022
Court No. 23
d.g.

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 950 of 2021

Somangsu Bhusan Sarkar
Vs.
The Punjab National Bank & Ors.

Mr. Sandipan Banerjee,
Mr. Pinaki Ranjan Chakraborty.

... for the petitioner

Mr. Kaushik Modak,
Ms. Mousumi Pal.

... for the respondents

The petitioner suffered a major penalty in a disciplinary proceeding while he was working as an Assistant Manager in Punjab National Bank (in short "P.N.B."). The order of the Disciplinary Authority dated 20th October, 1998 was carried in appeal. The order passed by the Disciplinary Authority directing removal of the petitioner from service was modified by the Appellate Authority by an order dated 17th October, 2007 in the statutory appeal preferred by the petitioner challenging the said order of the Disciplinary Authority. The petitioner, therefor, was held to have compulsorily retired from his service. The petitioner says that in 2010, the respondent Bank (PNB) made a provision for opting for pension by employees who had been compulsorily retired. The petitioner claiming to be eligible for the pension opted for the same. Despite such option being exercised nothing further happened in the matter

and the petitioner's representation was kept outstanding. The petitioner says that while opting for pension, the petitioner had deposited the money as specified in the letter inviting option. The petitioner also made a further representation the fate of which is the same as of his first representation. The petitioner in the aforesaid background prays for his representations to be considered.

On behalf of the bank, it is submitted that certain facts are required to be brought on record for which they intend to file an affidavit.

After hearing the parties and considering the materials on record, I find no fruitful purpose will be served by calling for affidavits at this stage. I direct the respondent no. 3 to dispose of the petitioner's representation, which was sent on 25th February, 2020 by a reasoned order within a period of twelve weeks, after affording the petitioner a reasonable opportunity of hearing. The reasoned order that may be passed shall be immediately communicated to the petitioner. The parties including the respondent no. 3 shall act on a basis of a server copy of this order without insisting upon production of a certified copy thereof.

Nothing further remains to be adjudicated in this writ petition. The same is disposed of accordingly without any order as to costs.

Since I have not called for any affidavit, allegations made in the writ petition are deemed to have not been admitted by the respondents.

Urgent photostat certified copy of this order, if applied for, be given to the parties, upon compliance of necessary formalities.

(Arindam Mukherjee, J.)