IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.02.2022

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN
AND
THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.A.Nos.244 of 2013 &
2399 of 2010 and MP.No.1 of 2010

W.A.No.244 of 2013

P.S.Maney ...Petitioner/ Appellant

Vs

1. The Chief General Manager
Appellate Authority
State Bank of India
Circle Top House
21, Rajaji Salai, Chennai 1.

2. The General Manager (D&PB)
State Bank of India
Circle Top House
21, Rajaji Salai, Chennai - 1.

3. The Deputy General Manager
(Disciplinary Authority)
State Bank of India
Zonal Office, Melur Road
Madurai. ... Respondents/Respondents

Prayer:Writ appeal is filed under clause 15 of the Letter Patent praying to allow the Writ Appeal and set aside the order dated 26.08.2010 in W.P.No.11443 of 2001.

For Appellant : Mr.J.Antony Jesus

For Respondents : Mr.S.Jayaraman

W.A.No.2399 f 2010
1. The Chief General Manager
Appellate Authority
State Bank of India
Circle Top House
21, Rajaji Salai, Chennai 1.

2. The General Manager (D&PB)
State Bank of India
Circle Top House
21, Rajaji Salai, Chennai - 1.

3. The Deputy General Manager
(Disciplinary Authority)
State Bank of India
Zonal Office, Melur Road
Madurai. ...Respondents/ Appellants

Vs

P.S.Maney ... Petitioner/Respondent

Common Prayer:Writ appeals are filed under clause 15 of the Letter Patent praying to allow the Writ Appeals and set aside the order dated 26.08.2010 in W.P.No.11443 of 2001.

This Writ Petition No.11443 of 2001 filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified to Call for the entire records in A & R/CON/145 dated 22.03.2001 on the file of the First Respondent herein confirming the proceedings of the Second Respondent in No.VIG/CON/000057 dated 28.04.2000 and quash the same.

For Appellants : Mr.S.Jayaraman

For Respondent : Mr.J.Antony Jesus

C O M M O N J U D G M E N T

S.VAIDYANATHAN, J.
&
MOHAMMED SHAFFIQ, J.

W.A.No.2399 of 2010 has been filed by the Bank, challenging the order of the learned single Judge in modifying the punishment and reducing the punishment into the one of reduction in one rank with loss of back wages from the date of punishment till the date of reinstatement on the ground that the punishment imposed by the Disciplinary Authority, as confirmed by the Appellate Authority, was disproportionate to the gravity of the misconduct. W.A.No.244 of 2013 has been filed by the Assistant Manager / Writ Petitioner, on the ground that the charges are not duly established in the enquiry and that the learned single Judge, having held that he has acted bona fide in granting loan, ought not to have imposed even the lesser punishment and should have set aside the entire punishment and granted the relief.

2. For the sake of convenience, the parties are referred to as 'the Bank' and 'the Employee'.

3. The Employee joined the services of the Bank as Clerk / Cashier and while working as an Assistant Manager (Advance), he was found to have committed certain irregularities in granting agricultural loans between 04.08.1995 and 19.08.1995, which resulted in placing him under suspension in terms of Rule 50 (A) (1) (a) of the State Bank of India (Supervising Staff) Service Rules r/w Rule 68 (A) (1) (a) of the State Bank of India Officers Service Rules. Along with the suspension order, the details of various Agricultural Cash Credit Loans granted by him from 04.08.1995 to 19.08.1995 for 435 to the extent of Rs.60.85 lakhs have been duly enclosed. Having not satisfied with the reply given by the Employee, a Charge Sheet dated 03.11.1995 was issued and an Enquiry officer was appointed to conduct enquiry on the following charges:-

STATE BANK OF INDIA (SUPERVISING STAFF)
SERVICE RULES READ WITH STATE BANK OF INDIA
OFFICERS SERVICE RULES
IRREGULARITIES PERTAINING TO HIS ASSIGNMENT AS FIELD OFFICER AT SANKARANAYINAR KOIL BRANCH

It has been reported that you have committed the following serious irregularities/lapses in disbursing Agricultural loans while you were working as Field Officer at Sankaranayinarkoil Branch from 10.08.94 to 08.11.95.

i) You had with ulterior motive disbursed Agricultural Cash Credit loans detailed below under Bank's Regular Scheme numbering 435 amounting to Rs.60.85 lacs in a hurried manner within a short span of 11 working days (i.e. from 4.8.95 to 19.8.95) without obtaining proper sanction from the competent authorities while you were under orders of change of posting from the post of Field Officer to Officer JMGS-1 at the same Branch. In some cases loans were disbursed to the borrowers belonging to the villages situated outside the Service Area of the Branch, contrary to the laid down instructions.

Date	No.of loans	ACC A/C.Nos.	Amount disbursed Rs.
04.08.95	20	16/169 to 16/188	2.72 lacs
05.08.95	14	16/189 to 16/202	1.92 lacs

Date	No.of loans	ACC A/C.Nos.	Amount disbursed Rs.
07.08.95	60	17/203 to 17/262	7.48 lacs
11.08.95	2	17/269 to 17/270	0.48 lacs
12.08.95	28	17/271 to 17/299	3.80 lacs
14.08.95	16	17/300 to 17/315	3.51 lacs
16.08.95	75	17/316 to 17/390	10.18 lacs
18.08.95	136	17/393 to 17/400 and 18/401 to 18/509	18.98 lacs
19.08.95	84	18/510 to 18/600 and 19/601 to 19/621	11.78 lacs
Total	435		60.85 lacs

ii) You had failed to conduct pre sanction inspection in respect of these loans as per extant laid down instructions.

iii) You had failed to interview all the borrowers of these loans individually to assess their credit requirements and to evaluate the viability of the loans scheme.

iv) You had disbursed most of these loans based on the borrowers own false declarations/VAOs false declarations in the chittas (10/1 forms) about the extent of land holdings of the prospective borrower-applications.

v) You had failed to obtain adangal in respect of the aforesaid loans, contrary to the laid down instructions.

vi) You had, with fraudulent intention, disbursed the following loans based on forged chittas purportedly issued by Shri R.Samy, VAO, Karivalamvandanallur without verifying the correct facts by conducting field inspection.

Sl.No.	ACC A/C.No.	Name of the borrower
1.	18/441	Krishnan Raj
2.	18/432	Adinamilagi Muthiah
3.	18/433	Thangasamy Chellakutti
4.	18/445	Smt.Muthuveeri W/o. Mukkan
5.	18/443	Karuppan Srirengan

Sl.No.	ACC A/C.No.	Name of the borrower
6.	18/449	Baliah Palani
7.	18/435	Abraham Samuel (Father's name has been recorded as Anandaraj in the security document to match with the name furnished in the bogus chitta submitted by the borrower)
8.	18/434	Smt.Mahalakshmi W/o Karmegam
9.	18/442	Thiruvanai Murugan
10.	18/439	Manavel Mariappan
11.	18/436	Thangapandi Chelladurai
12.	18/438	Ayyanperumal Krishnan
13.	18/437	Smt.Gomathi W/o. Petharu (Her husband's name has been recorded in the security document as Petchimuthu to match with the name written in the bogus chitta submitted by the borrower)
14.	18/440	Ponnugurusamy
15.	17/376	Chelliah Paulsamy
16.	17/377	Subbiah Mariappan

Vii) You had engaged several middlemen in the preparation of the applications/documents outside the Bank in respect of these loans.
Viii) You had allowed the middlemen to obtain the borrower's signatures/thumb impressions on the security documents at their houses/other places outside the Bank without your presence.
ix) You had failed to obtain witness letters for affixing thumb impressions by the illiterate borrowers in the loan documents from the witnesses in whose presence the thumb impressions were obtained in most of the cases.
x) You had failed to obtain photographs of the borrowers in many cases in respect of these loans and thereby making the identification of the borrowers difficult for the Bank and thereby acted against the interests of the Bank.

xi) You had passed debit vouchers for disbursing these loan amounts without obtaining the proper sanction therefore from the competent authority and thereby acted exceeded your powers and acted against the interests of the Bank.

Xii) You had failed to obtain "No dues/No Objection Certificates" from other Banks/Co-operative Credit Societies operating in the area in respect of these borrowers.

Xiii) You had made disbursement of these loans in one lumpsum in cash instead of disbursing part in cash and part in kind by making direct payment to the suppliers of inputs as per extant instructions.

Xiv) You had failed to adopt the scale of finance as applicable to various crops and the loan amount has been fixed arbitrarily by you contrary to the Bank's instructions in respect of Agricultural loans.

xv) You had collected bribes ranging from Rs.1,000/- to Rs.2,500/- per loan from the borrowers through middlemen like Shri T.Esakki of Veeriruppu Village in respect of most of these loans.

Xvi) You had received fertilizers worth of Rs.12.215/- from one of the Bank's constituents, viz, Shri A.L.Vijayaraghava Raja of Panaiyur Village but have not paid him the cost thereof till date.

Xvii) On 24.8.95 and 25.8.95 you had obstructed Shri T.N.Sivagnanam, Officer Zonal Office, Madurai and Shri K.L.Sridharan Branch Manager, Sankarnayinarkoil Branch from making enquiries at Veeriruppu Village by advising the villagers, who came forward to make their statements in respect of the above mentioned mass loan disbursements made by you not to do so.

2. Consequently by your above acts, you had failed to take all possible steps to protect the interests of the Bank and discharge your duties with utmost devotion and Bank of India (Supervising Staff) Service Rules read with Rule 50(4) of State Bank of India Officers Service Rules.

3. It has, therefore, been decided to initiate Major Penalty Proceedings against you in terms of Rule 50 (1) of State Bank of India (Supervising Staff) Service Rules read with Rule 68(1) of State Bank of India Officers Service Rules. A statement of imputations based on which the above charges are framed is enclosed.

4. You are accordingly required to submit your statement of defence, if any, within 15 days from the date of receipt of this letter failing which it will be construed that you do not have any explanation to offer and the Bank would thus be at liberty to proceed in the matter as it deems fit.

5. If you so desire, you may peruse the relevant records and files available at our Sankaranayinarkoil branch for the purpose of submission of your statement

of defence. Please, note that you will not be supplied with or allowed to take copies of any documents.

6. Please acknowledge receipt along with date on the duplicate of this letter.

4. On a perusal of deposition of witnesses, it could be seen that some of the witnesses have stated that they have given bribe to a Middleman and others have stated that they have not given any bribe to anyone. The charge against the Employee is on two folds, namely, 1) whether he has received the bribe or not in granting agricultural loans and 2) whether he has followed the guidelines prescribed by the Bank while sanctioning the loan. The Employee, being an Officer of the Bank, must have acted with honesty and integrity and shall not act unbecoming of an officer of the Bank.

5. The Employee has stated that he had granted loans to some of the persons, who do not come within the jurisdiction of the said branch. In this case, the issue raised by the Employee is that even though there are certain deficiencies in sanctioning the loan, it cannot be construed as irregularities, as loan has been sanctioned for the benefit of Agriculturalist. The loans have been sanctioned with the help of a middleman and that many of the borrowers have been unknown to the Bank Officer. However, it is not known as to why he has hurriedly granted 435 loans within a span of 15 days. According to the Employee, he served in the Bank without any blemish and on account of persistent pressure to sanction loans, he had granted the same, which was also duly approved by the Higher Officials. He would further submit that he joined the services of the Bank as a Clerk / Cashier and thereafter, served as a Field Officer in Junior Management Grade I and subsequently, promoted as Assistant Manager. When his services are without any blemish and that there is a pressure on him to grant loans without considering the discrepancies, the Bank ought not to have issued a Charge Memo, proceeded with an enquiry and imposed the capital punishment, especially when his past records are clean and that he served the Bank with utmost integrity and honesty.

6. The learned counsel appearing for the Bank contended that when there was an order of transfer from the post, there is no need for the Employee / Writ Petitioner to hurriedly sanction 435 loans to the extent of Rs.60.85 lakhs. The Employee was placed under suspension on 03.11.1995 and thereafter, a show cause notice was issued on 15.12.1995 calling upon him to give explanation and finding the explanation dated 10.02.1996 to be unsatisfactory, a Charge Memo dated 09.03.1998 was issued levelling 17 charges. Being not satisfied with the explanation, an enquiry has been ordered. A detailed enquiry was conducted and except Charge Nos.15 and 17, all other charges have been

duly proved. Enquiry officer held that No.15 was partly proved and Charge No.17 has not been proved. Thereafter, a second show cause notice was issued, calling for an explanation on the Enquiry Officer's report, which he has duly submitted and having considered the same, it has been decided by the Bank to impose the capital punishment of dismissal from service, by treating the period of suspension as suspension only under Rule 67(j) of State Bank of India Officers Service Rules.

7. The main contention of the Employee was that the charges are very vague and he was not able to defend the charges effectively and that there was a violation of principles of natural justice in addition to the fact that there was no evidence to prove the said charges. According to the Employee, none of the charges have been proved even on the principles of preponderance of probabilities and hence, the finding of the Enquiry Officer is bad and the dismissal from service has got to be interfered with. Even assuming that the Employee has committed certain irregularities and that the charges are established, the imposition of capital punishment of dismissal is highly disproportionate to the gravity of misconduct and hence the same has got to be interfered with.

8. Learned counsel for the Bank contented that the Employee has acted dishonestly in the matter of sanctioning agricultural loans, especially when he was at the verge of transfer and there is no need for him to sign 435 loans, running to several lakhs, which would show that the same has been sanctioned with an ulterior motive. The loan applications were signed by the loanees in a private lodge and not in the Bank or in the village, where the loanees are residing. As per the regulations, the signature or thumb impression of the loanees have got to be obtained by an Officer in-person, which was not attested. The photographs of the loanees also were not affixed and loans have been sanctioned to those persons. The Employee did not identify the loanees to ascertain their identity and there is an ample proof, which has been established that there was a middle man to participate in the loan transaction. When the loans have been sanctioned within a period of short duration, which has gone up to Rs.95.17 lakhs, including interest and that a sum of Rs.8 lakhs alone could be recovered, which made the Bank to suffer huge financial loss. As the Employee was so casual and lethargic while handling the public money, that the charges have been duly established in a fully conducted enquiry and that the Employee did not object at any stage with regard to the conduct of enquiry before the Enquiry Officer, he has come forward with a vague plea that there is violation of principles of natural justice and that the charges are not established. It is no doubt true that the Court can interfere with the punishment, if it is shockingly disproportionate to the gravity of charges, but, in

the present case on hand, the Employee, being an Officer of the Bank, who has not acted in the interest of the Bank and had thrown away all the Rules and Regulations, while sanctioning loans to the agriculturalists, cannot contend that the punishment imposed is disproportionate.

9. The learned Single Judge, after hearing both the parties came to the conclusion that out of 17 charges, two charges, namely, Charge No.15 has been partly proved and Charge No.17 has not been proved and other five charges, namely, 7, 8 14, 16 & 17 are stated to be vague. Even assuming for the sake of argument that these five charges are vague, the rest of the charges are duly established in the Domestic Enquiry, resulting in imposition of capital punishment imposed by the Bank. The learned single Judge also rendered a finding that the Employee has committed irregularities in the matter of sanctioning loan and the same has been proved by sufficient evidence and there is no infirmity in the finding of the Enquiry Officer in respect of those charges. However, the learned single Judge has come to an erroneous conclusion that the charges have been established based on conjectures and surmises and in a biased manner. The learned Single Judge, having agreed with the Bank that there was a loan sanctioned by the Employee; that the Employee has not disputed the fact that the loans have been granted to some of the persons, who are residing outside the jurisdiction of the Bank; that Identity of the persons have not been verified and documents pertaining to the property has not been cross checked, ought not to have modified the punishment imposed on the Employee, as the charges extracted supra speak volume about the misconduct committed and proved in the enquiry. The learned single Judge interfered with the punishment and held that the punishment is disproportionate on the only ground that there is no allegation of dishonesty on the part of the Employee in granting loans and not even suggested anywhere that the transactions were tainted with fraud.

10. Unfortunately we are unable to accept the finding of the learned Single Judge as stated supra, for the simple reason that there are serious allegations levelled against the Employee, which have been duly established in the enquiry and that the Employee has acted against the interest of the Bank, which is nothing, but an act of dishonesty. The learned Single Judge took a sympathetic view on the reasoning that the loans have been sanctioned only to poor farmers, which were utilized by them for their agricultural activities and the Bank is also situated in the Rural Village. The learned Single Judge further held that merely because certain norms have not been followed to verify the identity of the loanees, entire liability cannot be foisted on the Employee, as in the Banking practice, there could be a ratification in the signatures subsequent to the disbursement of the loans and that the Bank Manager has accepted

the same. When the Rules contemplate a particular thing to be done in a particular manner, it should be done in that manner only and in case of violations, the Bank is empowered to take action against its employees. which they have done in the present case on hand. It is pertinent to mention here that he is not like an employee falling under the purview of the Industrial Disputes Act, namely, Section 2(s), where the Court can interfere with the punishment invoking Section 11 A of the I.D. Act. Even therein, if there are misappropriation, the Courts are reluctant to interfere with the punishment. As the Bank employees, including the Officer handle the public money, both trust and confidence are of paramount importance for customers to continue in the Bank as customers and honesty, integrity and devotion to duty are the utmost requirement for an employee and officers of the Bank. The learned Judge proceeded that the matter is pending from 2001 and the Employee was 54 years old on the date of passing the order in the writ petition, namely, 26.08.2010. The Employee submitted that he is aged 69 years now. In disciplinary matters, the powers of this Court under Article 226 and 227 of the Constitution of India are very limited.

11. In the present case on hand, it cannot be said that the punishment imposed is shockingly disproportionate. It is the case of the Bank that loan amounts have not been recovered. The Apex Court in the case of Disciplinary Authority - Cum - Regional Manager and Others vs. Nikunja Bihari Patnaik, reported in (1996) 9 SCC 69 held as follows:

> “7. It may be mentioned that in the memorandum of charges, the aforesaid two regulations are said to have been violated by the respondent. Regulation 3 requires every officer/employee of the Bank to take all possible steps to protect the interests of the Bank and to discharge his duties with utmost integrity, honesty, devotion and diligence and to do nothing which is unbecoming of a Bank officer. It requires the officer/employee to maintain good conduct and discipline and to act to the best of his judgment in performance of his official duties or in exercise of the powers conferred upon him. Breach of Regulation 3 is "misconduct" within the meaning of Regulation 24. The findings of the Enquiry Officer which have been accepted by the disciplinary authority, and which have not been disturbed by the High Court, clearly show that in number of instances the respondent allowed overdrafts or passed cheques involving substantial amounts beyond his authority. True, it is that in some cases, no loss has resulted from such acts. It is also true that in some other instances such acts have yielded profit to the Bank but it is equally true that in some other instances, the funds of the Bank have

been placed in jeopardy; the advances have become sticky and irrecoverable. It is not a single act; it is a course of action spreading over a sufficiently long period and involving a large number of transactions. In the case of a Bank - for that matter, in the case of any other organisation - every officer/employee is supposed to act within the limits of his authority. If each officer / employee is allowed to act beyond his authority, the discipline of the organisation/bank will disappear; the functioning of the Bank would become chaotic and unmanageable. Each officer of the Bank cannot be allowed to carve out his own little empire wherein he dispenses favours and largesse. No organization, more particularly, a Bank can function properly and effectively if its officers and employees do not observe the prescribed norms and discipline. Such indiscipline cannot be condoned on the specious ground that it was not actuated by ulterior motives or by extraneous considerations. The very act of acting beyond authority - that too a course of conduct spread over a sufficiently long period and involving innumerable instances - is by itself a misconduct. Such acts, if permitted, may bring in profit in some cases but they may also lead to huge losses. Such adventures are not given to the employees of Banks which deal with public funds. If what we hear about the reasons for the collapse of Barings Bank is true, it is attributable to the acts of one of its employees, Nick Leeson, a minor officer stationed at Singapore, who was allowed by his superiors to act far beyond his authority. As mentioned herein before, the very discipline of an organization and more particularly, a Bank is dependent upon each of its employees and officers acting and operating within their allotted sphere. Acting beyond one's authority is by itself a breach of discipline and a breach of Regulation 3. It constitutes misconduct within the meaning of Regulation 24....”

The Apex Court went on to hold that in a banking business absolute devotion, diligence and integrity need to be preserved by every Bank Employee and in particular, by the Bank Officer and if this is not observed, confidence of depositors would be impaired. The order of the Supreme Court [reported in (1998) 4 SCC 310 in the case of Union Bank of India vs. Vishwa Mohan] has been followed by this Court in a judgment reported in 1998 (3) LLN 652 [C.Edward Theesiah vs. Canara Bank (rep. by its General Manager), Madras], by holding as under:

“8. So far as the double punishment is concerned, the regulation 15 of the Canara Bank Officer Employees' (Discipline and Appeal) Regulations, 1976, gives the discretion to the punishing authority as to how the period of suspension to be treated. The said provision is as follows:

"Pay, allowances and treatment of service on termination of suspension.-

(1) Where the competent authority holds that employee has been full exonerated or that the suspension was unjustifiable, the officer employee concerned shall be granted the fully pay to which he would have been entitled, had he not been suspended, together with any allowance of which he was in receipt immediately prior to his suspension, or may have been sanctioned subsequently and made applicable to all officer employees.

(2) In all cases other than those referred to in Sub-regulation (1), the officer employee shall be granted such proportion of pay and allowances as the competent authority may direct:

Provided that payment of allowances under this sub-regulation shall be subject to all other conditions to which such allowances are admissible;

Provided further that the pay and allowances granted under this sub-regulation shall not be less than the subsistence and other allowances admissible under regulation 14.

(3) (a) In a case falling under sub-regulation (1), the period of absence from duty shall, for all purposes, be treated as a period spent on duty,

(b) In a case falling under sub-regulation (2) the period of absence from duty shall not be treated as a period spent on duty unless the competent authority specifically directs, for reasons to be recorded in writing, that it shall be so treated for any specific purpose."

Sub-clause (b) of Cl. 3 regulation 15 makes it clear that wherever the case falling under Sub-cl.(2), the period of absence from duty shall not be treated as the period spent on duty unless the competent authority specifically directs. In this case, depending upon the nature of the charges the competent authority might have felt that the suspension period has to be treated as period of non-duty. The discretion vests with the punishment authority and the same cannot be questioned before this Court. Apart from the above, the Supreme Court in the recent judgment reported in Union Bank of India v. Vishwa Mohan [MANU/SC/0272/1998 : 1998 (3) L.L.N. 90], while dealing with the bank officers, it is stated as follows, in Para. 11, at page 94:

"... It needs to be emphasised that in the banking business absolute devotion, diligence, integrity and honestly need to be preserved by every bank employee and in particular the bank officer. If this is not observed, the confidence of the public depositors would be impaired.. "

The integrity and honesty should be perfect. The petitioner herein undoubtedly had no integrity and honesty, which is clear from the charges framed and proved against him.

9. Moreover, the petitioner has not given any explanation in this Court as to how the procedural irregularity has affected his right of defence. Further, he contended that he sought for the examination of certain witnesses that has been denied and certain questions have been recorded, which have been challenged by the petitioner. I do not think, this Court can go into those questions because this Court is not exercising the appellate jurisdiction, especially, when sitting under Art. 226 of the Constitution of India. The petitioner has exercised his right of the appeal as well as review and the authorities have taken into consideration on all the aspects and found that the charges against the petitioner had been proved. As there is no irregularity in the procedure followed by the enquiry officer and the petitioner having failed to establish as to now he is aggrieved or his right has been prejudiced by the failures pointed out by him. I am of the view, the writ petition is liable to be dismissed as devoid of merits. Accordingly, the writ petition is dismissed. However, there will be no order as to costs.”

12. In case there was a violation of principles of natural justice, the matter can be remanded to the Disciplinary Authority, in terms of the judgment of the Supreme Court in the

case of Union of India and others -vs- Mohd. Ramzan Khan reported in AIR 1991 SC 471 so as to continue the proceedings from where the defect has happened. In this case, due compliance has been followed by the Bank, while conducting enquiry ever since the date of issuance of suspension order. The Employee, having duly participated in the enquiry and having cross examined the witnesses, pleaded before the learned single Judge that the enquiry is a farce one. Therefore, we are of the view that enquiry has been conducted in a fair manner. The learned Single Judge also observed in the order that the enquiry has been conducted in a fair manner and opportunity has been given. Having held so, learned Single Judge ought not to have interfered with the punishment imposed by the Bank.

13. Considering the facts and circumstances of the case and following the order of the learned Single Judge, reported in 1998 (3) LLN 652 (supra), we are of the view that the order of the Bank in dismissing the employee from the services is perfectly valid, thereby the order of the learned Single Judge in moulding the relief is interfered with.

14. In the result, W.A.No.2399 of 2010 filed by the Bank is allowed and W.A.No.244 of 2013, filed by the Employee is dismissed. The order of punishment imposed by the Bank is restored. It is needless to mention that if there are any terminal benefits due to the employee and he is otherwise eligible in terms of the Rules and Regulations, it is open to the Bank to release the same within a period of three months from the date of receipt of a copy of this judgment, if not already released. No costs. Consequently connected miscellaneous petition is also closed.

Sd/-
Deputy Registrar(CS)

//True copy//

Sub Assistant Registrar

dpq

To

1. The Chief General Manager
Appellate Authority
State Bank of India
Circle Top House
21, Rajaji Salai, Chennai 1.

2. The General Manager (D&PB)
State Bank of India
Circle Top House
21, Rajaji Salai, Chennai - 1.

3. The Deputy General Manager
(Disciplinary Authority)
State Bank of India
Zonal Office, Melur Road
Madurai.

+1cc to Mr.S.Jayaraman, Advocate SR.No.12567

W.A.Nos.244 of 2013 &
2399 of 2010

SSN(CO)
GMY(21/06/2022)