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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-23963-2015

Date of decision: 13.12.2022

DALJIT SINGH SANDHU

...Petitioner

VERSUS

PUNJAB GRAMIN BANK & ANR

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. S. S. Salar, Advocate for the petitioner.

Mr. Saurav Verma, Advocate and
Ms. Preeti Grover, Advocate for the respondents.

JAISHREE THAKUR, J. (Oral)

1. The instant writ petition has been filed under Articles 226/227 of the Constitution of India seeking issuance of a writ in the nature of certiorari for quashing order dated 31.03.2015 (Annexure P-8), whereby the petitioner has been punished by the disciplinary authority and order dated 07.07.2015 (Annexure P-9), which order has been passed on the appeal of the petitioner by the General Manager instead of the Appellate Authority.

2. Learned counsel for the petitioner herein *inter alia* would contend that the entire inquiry as conducted against the petitioner is violative of the principles of natural justice as the original documents were not supplied to him and photocopies were exhibited.

3. At this juncture, learned counsel for the respondents would submit that in fact the petitioner herein has a remedy of filing an appeal before the

Appellate Authority, however, the petitioner sent the appeal which was unsigned and beyond the period of limitation.

4. As per the written statement filed by the respondents, it is stated that as per regulation 49(1) of the Bank, the appeal is maintainable but since the unsigned appeal was filed, the same was never decided and also the fact that the said appeal was beyond the period of limitation.

5. Learned counsel for respondents would submit that in case the petitioner submits a fresh appeal within a period of two weeks from today, the same will be decided in accordance with law.

6. I have heard learned counsel for the parties and have also perused the pleadings of the case.

7. In view of the very fair offer made by the respondents that they would consider the appeal of the petitioner, if any, filed within a period of two weeks from today, the same shall be considered, this Court proposes to dispose of the instant writ petition with a direction to the respondents that in case, the petitioner herein files a fresh appeal within a period of two weeks from today, the same be decided within a period of three months thereafter, in accordance with law by giving the petitioner one opportunity of personal hearing. It is also directed that any decision taken will be communicated to the petitioner forthwith.

8. Needless to say, if the grievance of the petitioner still survived, he is at liberty to avail the remedy available to him.

(JAISHREE THAKUR)
JUDGE

13.12.2022
Chetan Thakur

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No