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17.5.2023
S.D.

W.P.A. 7277 of 2023

**Aniket Sachdeva
Vs.
Bangiya Gramin Vikash Bank & Ors.**

Mr. Kamalesh Jha
Ms. Srabani Biswas
... For the petitioner

Mr. Baidurya Ghosal
..For the respondent Bank

The written instructions handed over in Court today by
Mr. Ghosal are retained with the records.

It appears from the written instructions that the
respondent bank is on the verge issuing a charge sheet to the
petitioner.

The petitioner's grievance is that despite getting better
job opportunities, the petitioner is unable to join the said
services due to non-acceptance of resignation by the
respondent bank.

Mr. Ghosal, learned counsel appearing on behalf of the
respondent bank submits that the resignation of the petitioner
could not be accepted since a fraud of more than Rs.1 crore

has been committed at the branch where the petitioner was discharging his duties as an Assistant Manager and the Service Rules of the bank concerned clearly stipulated that during the pendency of disciplinary proceedings, the resignation of an employee cannot be accepted.

The report of the Central Vigilance Commission dated January 8, 2016 as handed over in Court today is also retained with the records.

Considering the submissions of the parties and the materials placed on record, this Court is of the view that justice will be sub-served by directing the respondent bank to conclude the disciplinary proceedings within three months from the date of communication of the order. In the event, the said proceedings are not concluded within a period of three months from the date of communication of the order, the disciplinary proceedings will be deemed to be dropped against the writ petitioner and there would be no impediment in considering the prayer for resignation by the petitioner.

With the directions aforesaid, **W.P.A. 7277 of 2023** is **disposed of**.

Needless to mention that the petitioner will not pray for any unnecessary adjournments while the respondent

authorities conduct the disciplinary proceedings and adhere to the time frame stipulated for giving reply.

All parties shall act on the server copy of this order duly downloaded from the **website** of this Court.

(Lapita Banerji, J.)