

S/L 26
04.10.2023
Court No.38
SD

WPA 12190 of 2023

Lalmohan Jana
Vs.
Canara Bank & Ors.

Mr. Nayan Rakshit

...for the Petitioner.

Mr. Anjan Kumar Paul

...for the Respondents.

Pursuant to an earlier order of this Court dated June 12, 2023, a Report in the form of an affidavit has been filed by the respondent-bank in Court.

The grievance of the petitioner pertains to non-payment on account of over-time benefits.

It is submitted on behalf of the petitioner that notwithstanding having worked over-time on several occasions, the respondent-bank has neglected to pay the petitioner on account of over-time benefits.

It is submitted on behalf of the bank that the petitioner is guilty of interpolating and committing forgery by wrongfully showing incorrect and false work hours, though there was no additional work. The respondent-bank further submits that save and except written authorisation or communication directing the petitioner to work over-time, there is no other permissible mode to be entitled to overtime work hours or their benefits.

It is also submitted by the respondent-bank that the petitioner is a habitual litigant and had filed earlier proceeding for the selfsame cause which has been suppressed in this petition.

The records of the bank also demonstrate prima facie interpolation and fraud committed by the petitioner.

In reply, it is submitted on behalf of the petitioner that the Manager has given authorisation and assignment to the petitioner.

The attendance sheet also shows that the petitioner worked over-time. There are serious allegations containing disputed facts which requires consideration of this case.

Prima facie there is substance in the contention of the respondent-bank that the claim of the petitioner of the excess amount is unwarranted and unjustified. The records also show that there is interpolation and over-writing. Admittedly, the petitioner had accessed the records and prima facie committed forgery.

Accordingly, there is no scope for entertaining the writ petition. WPA 12190 of 2023 stands dismissed as non-maintainable.

Liberty is granted to the respondent-bank to take action against the petitioner by filing a criminal complaint in accordance with law, if so advised.

(Ravi Krishan Kapur, J.)