



CMP(MD) No.12676 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)
Monday, the Twenty Fifth day of September Two Thousand and Twenty Three
PRESENT

The Hon`ble Mr.Justice S.S.SUNDAR
and

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY
CMP(MD) No.12676 of 2023
in
WA(MD) SR.No.38840 of 2017

1 THE CHAIRMAN CUM MANAGING DIRECTOR,
BANK OF BARODA, BARODA CORPORATE CENTRE,
NO.C-26, G-BLOCK, BANDRA-KURLA COMPLEX,
MUMBAI 400 051.

2 THE EXECUTIVE DIRECTOR & APPELLATE AUTHORITY,
BANK OF BARODA, BARODA CORPORATE CENTRE,
NO.C-26, G-BLOCK, BANDRA-KURLA COMPLEX,
MUMBAI 400 051.

3 THE GENERAL MANAGER (SZ) & DISCIPLINARY AUTHORITY,
BANK OF BARODA, ZONAL OFFICE,
NO.90, C.P.RAMASAMY ROAD,
ALWARPET, CHENAI 600 018.

4 THE ASSISTANT GENERAL MANAGER/REGIONAL HEAD,
BANK OF BARODA, REGIONAL OFFICE (TAMIL NADU)
82, BANK ROAD, 3RD FLOOR,
COIMBATORE 641 018.

5 THE DEPUTY REGIONAL MANAGER/ENQUIRY OFFICER,
BANK OF BARODA, REGIONAL OFFICE (TAMIL NADU)
82, BANK ROAD, 3RD FLOOR,
COIMBATORE 641 018.

... PETITIONERS/ APPELLANTS

Vs



CMP(MD) No.12676 of 2023

S.GANAPATHY

... RESPONDENT/RESPONDENT

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Prayer in CMP(MD)No.12676/2023 :

To Condone the delay of 1442 days in representing the above Writ Appeal (MD) SR. No.38840 of 2017 against the order in WP(MD). No.3674 of 2011 dated 07.07.2017.

Prayer in WA(MD).SR.No.38840/2017 :

To allow the Writ Appeal and set aside the order in WP(MD)No.3674 of 2011 dated 07.07.2017.

Prayer in WP(MD). 3674/ 2011 :

To issue a Writ of Certioraraified Mandamus, calling for the records relating to the order dated 25/08/2010 passed by the Executive Director and Appellate Authority, Bank of Baroda, Corporate Office, Mumbai the second respondent herein confirming the SZ:VIG:T185:37:256 order dated 15/04/2010 passed by the General Manager (SZ) and Disciplinary Authority, Bank of Baroda, Zonal Office, Chennai and quash the same and consequently direct the respondents to restore the services of the petitioner with all attendant benefits.

ORDER : This civil miscellaneous petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MS.P.MALINI, Advocate for M/S.T.S.GOPALAN AND CO., for the petitioners and of MR.RAGATHEESH KUMAR, Advocate for M/S.ISAAC CHAMBERS on behalf of the Respondent, the court made the following order:-

[Order of the Court was made by S.S.SUNDAR, J.]

Heard Ms.P.Malini, learned counsel appearing for the petitioners.

2.This civil miscellaneous petition is filed to condone the delay of 1442 days in re-presenting the above appeal.

3.Though the petitioners have stated a few reasons for the long delay in re-presenting the above appeal, the same could have been avoided by showing due diligence. Having regard to the facts and circumstances and the reasons stated in the



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accompanying affidavit, this Court is inclined to condone the delay on terms.

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4. Accordingly, this civil miscellaneous petition is allowed and the delay of 1442 days in re-presenting the above appeal is condoned, on condition that the petitioners pay a sum of Rs.10,000/- (Rupees ten thousand only) to the credit of the Day Care Centre run by the Women Advocates Association, Madurai Bench of Madras High Court (Account No:6477041768, IFSC Code:- IDIB00H040, Indian Bank, High Court Branch, Madurai), within a period of two weeks from today, failing which, this civil miscellaneous petition will stand dismissed automatically without reference to the Court and consequently, W.A.(MD) SR No.38840 of 2017 will stand automatically rejected.

5. On payment of the cost as directed above, Registry is directed to number the appeal, if the papers are otherwise in order and post it for admission in the usual course.

sd/-
25/09/2023

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/09/2023

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

krk



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COIMBATORE 641 018.

COPY TO

1 THE OFFICER INCHARGE,
DAY CARE CENTRE RUN BY THE WOMEN ADVOCATES ASSOCIATION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

2 THE SUB ASSISTANT REGISTRAR, A.E.SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

3 THE SECTION OFFICER, JUDICIAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

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ORDER
IN
CMP(MD) No.12676 of 2023
in
WA(MD) SR.No.38840 of 2017
Date :25/09/2023

RS/JGB/SAR-(27.09.2023) 5P 9C
Madurai Bench of Madras High Court is issuing
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