

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

218

**CWP-14951-2018 (O&M)
Date of Decision: 02.08.2023**

Pankaj

..... Petitioner

Versus

Sarva Haryana Gramin Bank and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Anil Ghanghas, Advocate
for the petitioner.

Mr. Bhushan Bhatia, Advocate
for the respondents.

SANDEEP MOUDGIL, J. (ORAL)

1. The instant writ petition under Article 226/227 of the Constitution has been invoked with the following prayer :

- a) The order dated 21.10.2017 (P-7) vide which the request to change the Enquiry Officer has been declined;
- b) The order dated 14.11.2017 (P-9) vide which the petitioner's request to provide him Defence Assistant and the relevant official documents for defending himself has been declined;
- c) The enquiry proceedings dated 10.05.2018 (P-11) to the extent the petitioner has been declined the opportunity to cross-

examine MW-1.

AND

- a) Change the Enquiry Officer/ respondent No.3, and appoint any other competent officer in his place;
- b) Provide the petitioner all the documents as asked by him vide letter dated 11.10.2017 (P-5), and also the opportunity to cross-examine MW-1;
- c) Provide him Defence Assistant as requested vide letter dated 08.11.2017 (P-8), and
- d) Conduct the enquiry proceedings in a bona fide and fair manner in accordance with the Principles of natural justice and the regulations.

2. As far as prayer No.1 regarding change of Enquiry Officer is concerned seeking a writ of mandamus, the same stands already sorted as the officer has been changed in view of the statement made by learned counsel for the petitioner.

3. Now only the grievance raised before this Court today is qua not allowing the petitioner to examine the documents as asked by him vide letter dated 11.10.2017 (P-5) and also the opportunity to cross-examine MW-1.

4. It is an admitted case by the learned counsel for the petitioner that some of the documents as sought by him were supplied to him on 23.02.2023 whereas still various other documents as well as additional documents which were later requested for examination have not been made

available to him.

5. Mr. Bhushan Bhatia, learned counsel appearing for the respondents submits before this Court very fairly that in case the petitioner moves an appropriate application before the Enquiry Officer with the details of documents whatsoever he wants and wishes to examine, same shall be supplied to him within a period of two weeks from the date he submits an application.

6. Learned counsel for the petitioner is not adverse to the said proposal of learned counsel for the respondents-Bank and agrees to submit an application within a period of one week from today before the Enquiry Officer with a list of documents which he really wishes to examine and Enquiry Officer shall furnish requisite documents within next two weeks from the date of receipt of such application.

7. It is further made clear that a Defence Assistant shall also be provided to the petitioner in case the Sarva Haryana Gramin Bank (Officers & Employees) Service Regulations, 2010 do provide for the same.

8. In the light of the above, learned counsel for the petitioner is agreeing and do not want to pursue the instant petition further.

9. The petition stands disposed of in the aforesaid terms.

(SANDEEP MOUDGIL)
JUDGE

02.08.2023

Satyawan

1. Whether speaking/reasoned: Yes/No

2. Whether reportable: Yes/No