

In the High Court of Punjab and Haryana, at Chandigarh

Regular Second Appeal No. 4207 of 2019 (O&M)

Date of Decision: 04.09.2023

Karamvir Singh Chauhan

... Appellant(s)

Versus

Sarva Haryana Gramin Bank

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Adish Gupta, Advocate
for the appellant(s).

Anil Kshetarpal, J.

1. The Regular Second Appeal in the States of Punjab, Haryana and Union Territory, Chandigarh is governed by Section 41 of the Punjab Courts Act, 1918 and not by Section 100 of the Code of Civil Procedure, 1908, as held by a five Judge Bench of the Supreme Court in *Pankajakshi (Dead) through LRs v. Chandrika and Others (2016) 6 SCC 157*.

2. The correctness of the concurrent findings of facts, arrived at by both the Courts below, is assailed in this second appeal filed by the plaintiff.

3. The plaintiff's suit for the grant of decree of declaration that his removal from service vide order dated 14.05.2013 and the inquiry report dated 28.02.2013 are illegal, null and void. The appellant was appointed as an Assistant Manager. He was charge-sheeted as he demanded bribe of ₹50,000/- from Pardeep Singh for sanctioning the loan. In the disciplinary inquiry, the Inquiry Officer, after granting an opportunity to the appellant

reported that the charges against the appellant were proved. Ultimately, the

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Chairman of the respondent-Bank ordered his removal from service.

4. The learned counsel representing the appellant contends that the Inquiry Officer did not allow the appellant to put certain questions to the witnesses produced by the bank, therefore, a prejudice has been caused to him. However, the learned counsel has failed to draw the attention of the Court to any specific question which was not permitted by the Inquiry Officer.

5. Keeping in view the aforesaid facts, no ground is made out to interfere with the concurrent findings of facts arrived at by both the Courts below. Hence, the present appeal is dismissed.

6. The miscellaneous application(s) pending, if any, shall stand disposed of.

(Anil Kshetarpal)
Judge

September 04, 2023
“DK”

Whether speaking/reasoned :Yes/No

Whether reportable : Yes/No