

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

225

**CM-9697-C-2016  
CM-5310-C-2021 &  
CM-5937-C-2021 in/&  
RSA-3702-2016 (O&M)  
Date of Decision :16.02.2023**

**The Bathinda Central Cooperative Bank Ltd  
and another**

**...Appellants**

**Versus**

**Vijay Kumar**

**...Respondent**

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

**Present:-** Mr. Nagender Singh Vashisth, Advocate for the appellants.

Mr. Darshan Singh Malwai, Advocate for the respondent.

\* \* \*

**Harsimran Singh Sethi, J. (Oral)**

Learned counsel for the appellants submits that the trial Court while setting aside enquiry proceeding and order dated 28.05.2009 allowed the appellants-defendants to conduct fresh enquiry proceedings from the stage of supplying document to the respondent-plaintiff and though, the present regular second appeal was filed challenging the said findings but in the meantime on the basis of the fresh enquiry conducted, a fresh order has already been passed, which order has already been challenged by the respondent-plaintiff by filing a civil writ petition, which is pending adjudication hence, the present regular second appeal has been rendered infructuous and the same may be disposed of as such.

Ordered accordingly.

**February 16, 2023**  
*aarti*

**(HARSIMRAN SINGH SETHI)**  
**JUDGE**

*Whether speaking/reasoned : Yes/No*  
*Whether reportable : Yes/No*