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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

% *Date of Decision: 08th February, 2023*

+ W.P.(C) 935/2023

AMIT KUMAR

..... Petitioner

Through: Mr. Manmeet Singh Maini,
Advocate along with Petition-in-person.

versus

PUNJAB NATIONAL BANK AND ORS Respondents

Through: Mr. Rajesh Kr. Gautam and
Mr. Anant Gautam, Advocates for R-1.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

JUDGEMENT

JYOTI SINGH, J. (ORAL)

CM APPL. 3662/2023 (Exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

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3. Petitioner joined the Respondent-Bank on 29.08.2016 as a Management Trainee and was subsequently promoted to Scale-2 Manager on 01.04.2019. Pursuant to a charge sheet issued on 29.10.2021, enquiry proceedings were initiated against the Petitioner leading to a penalty of dismissal from service with a disqualification for future employment in terms of Regulation 4(j) of Punjab National Bank Officer Employees' (Discipline and Appeal) Regulations, 1977.

4. Present writ petition has been filed by the Petitioner laying a siege to the dismissal order dated 27.12.2022 as also seeking the relief of reinstatement with consequential benefits.

5. After canvassing some arguments, learned counsel for the Petitioner is unable to dispute the fact that in terms of Regulation 17 of the aforementioned Regulations, 1977, an appeal lies to the Appellate Authority against the dismissal order within the stipulated period of 45 days from the date of receipt of the order.

6. In view of the statutory remedy of appeal under the relevant Regulations applicable to the Petitioner, the present writ petition cannot be entertained at this stage.

7. The writ petition is accordingly disposed of with, liberty to the Petitioner to take recourse to the remedy of appeal, in accordance with law.

8. The impugned order was received by the Petitioner on 28.12.2022 and the period of 45 days comes to an end on 15.02.2023. However, since the Petitioner has bonafidely approached this Court, it is deemed appropriate that the time for filing the appeal is extended by a further period of 15 days permitting the Petitioner to avail the Appellate remedy.

9. It is further directed that on receipt of the appeal, the Appellate Authority shall take a decision on the appeal as expeditiously as possible and not later than 8 weeks from the date of receipt of the appeal.

10. Needless to state that a reasoned and speaking order shall be passed by the Respondents on the Appeal and the same shall be communicated to the Petitioner. In case of any surviving grievance, Petitioner is at liberty to resort to appropriate remedies available in law.

11. Writ petition is disposed of, in the aforesaid terms.

JYOTI SINGH, J

FEBRUARY 08, 2023/rk/kks

Signature Not Verified

Signed By: KAMAL KUMAR

Signing Date: 15.02.2023
22:33:57

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