

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
APPELLATE SIDE

WRIT PETITION NO. 7282 OF 2022

Sachin Kumar. ... Petitioner.  
V/s.  
Disciplinary Authority, Solapur Zone,  
Zonal Office, Sahyadri Shopping Centre  
and others. ... Respondents.

Mr.Kishor Patil with Mr.Dipak Mane for the Petitioner.  
None for the Respondents.

SANJAY  
KASHINATH  
NANOSKAR

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SANJAY KASHINATH  
NANOSKAR  
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**CORAM : NITIN JAMDAR, AND  
M.M. SATHAYE, JJ.**

**DATE : 29 April 2024.**

**P.C. :**

Heard the learned counsel for the parties.

2. The Petitioner had appeared in the recruitment process held for the Probationary Officers/ Management Trainees in public sector banks through the Institute of Banking Personnel Selection. The Petitioner cleared written examination and interview and was issued an appointment letter.

3. A disciplinary enquiry came to be instituted since it was revealed that the Petitioner had not appeared in the examination

himself and there was mismatch regarding the signature of the Petitioner. After the chargesheet was received, the Petitioner submitted a statement of defence. The Enquiry Officer was appointed. In the enquiry, the Petitioner was given an opportunity and after a full-fledged enquiry the Petitioner was found guilty and his services were terminated by order dated 15 January 2019. The Petitioner filed a statutory appeal which was dismissed on 31 July 2019. Thereafter the Petitioner filed a writ petition bearing No.625/2021 and the Petitioner was permitted to move for review of the order, which review application was also dismissed by order dated 14 February 2022.

4. The learned counsel for the Petitioner submitted that the entire written examination was held under the CCTV camera and the CCTV footage would have made it clear that the Petitioner himself had appeared for the examination. He submitted that the CCTV footage was not given to the Petitioner even though the Petitioner had asked for the same.

5. We have perused the order in the enquiry proceeding and the orders dismissing the Appeal and the Review. Several persons appeared for this examination held by the Institute for Banking Personnel Selection. It is not possible to discern the identity from the looks of the candidates from the applications. The Authorities have gone by bio-metrics and a categorical finding is recorded that the finger prints did not match. That being the

findings rendered by the Authorities, we do not find that there is any fundamental error in passing the order against the Petitioner based on the conclusion that the Petitioner had not himself given the examination and obtained the employment fraudulently.

6. Writ petition is, thus, dismissed.

(M.M. SATHAYE, J.)

(NITIN JAMDAR, J.)