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

CWP-6538-2005**Date of Decision: 14.05.2024****P.K.SHARMA**

..... Petitioner

*Versus***ORIENTAL BANK OF COMMERCE AND ORS.** Respondents**CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present : Ms. Radhika Suri, Senior Advocate with
Mr. Abhinav Narang, Advocate
for the petitioner.

Mr. R.N. Lohan, Advocate
for respondents No.1 and 2.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner (since deceased) through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of:

- (i) Charge memo dated 26.03.2002 (Annexure P-1) and Charge memo dated 15.04.2002 (Annexure P-6) whereby Article of charges and statement of imputation of misconduct has been issued against him;
- (ii) Inquiry report dated 07.01.2004 (Annexure P-31) and Inquiry report dated 14.11.2003 (Annexure P-32);
- (iii) Order dated 28.04.2004 (Annexure P-36) whereby he was dismissed from service;
- (iv) Order dated 08.11.2004 (Annexure P-39) whereby his appeal stands dismissed and;



(v) order dated 16.10.2003 (Annexure P-42) whereby he was suspended from service.

2. Ms. Radhika Suri, Senior Advocate, at the outset, submits that during the pendency of present petition, the petitioner has passed away. He served respondent-Bank for more than 30 years. He had unblemished service record. He sanctioned loan on the basis of reports received from Branch and Regional Office. The termination order of deceased employee was stigmatic. The legal heirs of petitioner do not want any financial benefit, however, they pray that stigma of termination may be lifted.

3. Mr. R.N. Lohan, Advocate submits that competent authority had passed order after considering relevant record, however, Court may pass an appropriate order considering the fact that LR's of petitioner are not making any financial claim.

4. The prayer made by LR's of the petitioner though is academic yet needs to be sympathetically considered because neither there would be any financial gain to them nor any financial loss to Bank.

5. Considering the totality of facts & circumstances of the case, limited prayer of LR's of petitioner and more than 30 years service, without commenting upon merits of the case, this Court holds that impugned order may not be treated as stigmatic.

6. Disposed of.

(JAGMOHAN BANSAL)
JUDGE

14.05.2024
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No