



\$~77

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

+ **W.P.(C) 8949/2024**

DINESH KUMARPetitioner

Through: **Mr. R.S. Gautam, Adv.**

versus

STATE BANK OF INDIA AND OTHERSRespondents

Through: **Mr. Siddharth Sangal, Ms. Richa Mishra and Ms. Harshita Agrawal, Advocates.**

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

04.07.2024

%

1. This writ petition has been filed by the Petitioner laying a challenge to order dated 31.05.2023 passed by Respondent No.2 dismissing the Petitioner from the service of the Bank in terms of Rule 67(j) of the State Bank of India Officers' Service Rules, 1992 ('1992 Rules') as well as for a direction for reinstatement with all consequential benefits.
2. Learned counsel appearing on behalf of the Respondents, on advance copy of the petition, at the outset, takes a preliminary objection to the maintainability of the writ petition on the ground that Petitioner has approached this Court without exhausting the statutory remedy of appeal available to him under Rule 69 of 1992 Rules. It is further stated that the Petitioner was completely aware that he was required to file an appeal since this was also mentioned in the impugned order of dismissal.
3. At this stage, learned counsel for the Petitioner, on instructions, seeks to withdraw the petition to file an appeal under Rule 69 of 1992 Rules



before the Appellate Authority. He, however, submits that the time for filing appeal has expired and the same be extended by a further period of two weeks to enable the Petitioner to avail the said remedy.

4. Present petition is accordingly disposed of as withdrawn, granting liberty to the Petitioner to file an appeal as provided in Rule 69 of the 1992 Rules within a period of two weeks from today. Needless to state, Petitioner will be at liberty to take recourse to further remedies in case of any surviving grievance after the appeal is disposed of. It is made clear that this Court has not expressed any opinion on the merits of the case.

JYOTI SINGH, J

JULY 4, 2024/jg/shivam