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

+ **W.P.(C) 11186/2024**

RUPASHREE MAJUMDER

.....Petitioner

Through: Mr. Dheerender Kumar Yadav,
Advocate.

versus

STATE BANK OF INDIA AND ANR

.....Respondents

Through: Mr. Rajiv Kapur and Mr. Akshat
Kapur, Advocates.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

13.08.2024

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CM APPL. 46256/2024

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

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3. This writ petition has been filed on behalf of the Petitioner laying a challenge to order dated 20.07.2024 issued by the Disciplinary Authority/Respondent No.2, whereby it was tentatively decided to impose on the Petitioner a major penalty of dismissal from service in terms of Rule 67(j) of the State Bank of India Officers Service Rules, 1992.
4. Mr. Akshat Kapur appearing on behalf of the Respondents on advance copy of the writ petition submits that Petitioner did not appear for personal hearing before the Disciplinary Authority and the next date is 14.08.2024. Petitioner is herself keeping away from the proceedings and if she appears

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for a personal hearing tomorrow, opportunity shall be given to her to present her case before a final decision is taken by the Disciplinary Authority. This submission is made without prejudice to the preliminary objection that the writ petition is premature since no final order has been passed and the impugned order is only a tentative decision of the Disciplinary Authority.

5. A bare perusal of the impugned order reveals that the decision to impose the penalty of dismissal based on a departmental enquiry is only tentative and therefore, in my view, the writ petition is premature. The order further reflects that Petitioner was called upon to appear before the Disciplinary Authority on 30.07.2024 and while the averments in the petition show that Petitioner has furnished her reply on 30.07.2024, copy of which has been filed along with the writ petition as Annexure P-9, learned counsel for the Respondents submits that Petitioner did not appear for a personal hearing and the next date is 14.08.2024.

6. This writ petition is accordingly disposed of being premature, leaving it open to the Petitioner to appear before the Disciplinary Authority on 14.08.2024 for personal hearing. Needless to state that Petitioner will be at liberty to avail legal remedies once a final decision is taken by the Disciplinary Authority and depending on its outcome. It is made clear that this Court has not expressed any opinion on the merits of the case.

7. The pending application also stands disposed of.

JYOTI SINGH, J

AUGUST 13, 2024

B.S. Rohella

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