



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD

948 SECOND APPEAL NO. 140 OF 2024

REGIONAL HEAD HUMAN RESOURCE HDFC BANK LTD AND ORS

VERSUS

ABDUL MOIZ MOHAMMED ABDUL SATTAR

...

Advocate for Appellant : Mr. v. D. Sapkal a/w. Mr. Amit Gadekar i/b.
Mr. M. D. Narwadkar

Advocate for Respondent : Mr. Khan Abdul Hakeem Abdul Karim

...

WITH

CIVIL APPLICATION NO. 6098 OF 2024
IN SA/140/2024

CORAM : ROHIT W. JOSHI, J.

DATE : 04th MARCH, 2025

P.C.:

1. The plaintiff had filed a suit being Regular Civil Suit No.248 of 2018 seeking the following reliefs :-

“(i) Suit of the plaintiff may kindly be decreed with costs.

(ii) It may kindly be declared that, the plaintiff is a confirmed & permanent employee of the HDFC Bank Ltd. on role.

(iii) Mandatory injunction, restraining the defendants, from removing the plaintiff from his post of Deputy Manager, presently working with HDFC Bank Ltd., Br. Nanded Waghala, Nanded, situated at Shrinagar, Nanded, without adopting due process of law, may kindly be issued.

(iv) Any other relief, which this Hon’ble court deems fit, may kindly be granted to the plaintiff and oblige.”

2. The suit is partly decreed by granting a declaration that the plaintiff is a confirmed and permanent employee of the Defendant-Bank

and the relief of mandatory injunction was denied. The plaintiff did not assail the decree further. The defendant-Bank filed an appeal under Section 96 of the Civil Procedure Code being Regular Civil Appeal No.35 of 2022 in which the declaratory relief granted by the learned trial Court was confirmed. Assailing the said decrees, the defendant-Bank has approached this Court by filing present Second appeal under Section 100 of the Code of Civil Procedure.

3. Having perused the judgments delivered by the learned Courts, I have find that the Plaintiff had withdrawn the resignation within the period of 60 days which he was entitled to do. The findings recorded in this regards do not call for any interference. In my considered opinion, no substantial question of law arises for consideration.

4. The Second Appeal is therefore dismissed with no order as to costs.

[ROHIT W. JOSHI J.]

Narwade/