

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.2564/2025

Shri Vijay Sitaram Hedao

Vs.

Chief General Manager (HRM) and Ors.

Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

Mr. K. R. Giripunje, Advocate for Petitioner.

CORAM : NITIN W. SAMBRE AND
MRS.VRUSHALI V. JOSHI, JJ.

DATED : 08/05/2025.

1. Heard.
2. On 21.09.2013, based on the statement of the accusation, the petitioner was awarded following punishment :

“Accordingly, I, in the capacity of Disciplinary Authority, hereby impose a punishment of “Reduction to a lower grade from MMG Scale-II to JMG Scale-I with basic Pay to be fixed at Rs.25700/-” in terms of Regulation-4(g) (major penalty proceedings) of ABOE (D & A) Regulation, 1976 and the period spent during suspension will be treated as “non-duty”.

3. It is claimed that the said imputation was found to be the basis in prosecution story in Special Case No.2 of 2012 wherein the petitioner came to be convicted for offences punishable under Sections 420, 465, 467, 468, 471, 408 read with Section 120-B of the Indian Penal Code and punishable under Section 13(1)(d) read with Section 13(2) of the Prevention of Corruption Act, 1988 by the Special C.B.I. Court, Nagpur vide order dated 31.12.2024.

4. The respondent employer is taking the aforesaid conviction to be basis, has invoked provisions of Clause -11 of the Indian Bank Officer Employees' (Discipline and Appeal) Regulations, 1976, has ordered that the services of the petitioner be terminated.

5. It is the case of the petitioner that the order impugned is hit by the constitutional principle viz. double jeopardy as the petitioner is already punished by order of reversion for same attribution.

6. Issue notice to the respondents, returnable on 11.06.2025.

7. Hamdast granted.

(MRS. VRUSHALI V. JOSHI, J.)

(NITIN W. SAMBRE, J.)