



WEB COPY



W.P. No.38632 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.12.2025

CORAM:

THE HON'BLE MR. JUSTICE M. DHANDAPANI

W.P. No.38632 of 2024

and

WMP.Nos. 3786 and 54210 of 2025

Oviya
E.C.No.154527
Officer under suspension
Residing at,
Bank of Baroda, Chennai metro region,
No.5, 1st Street, Senthamarai Nagar,
Bootheri road,
Thindivanam,
Villupuram District- 604001.

...

Petitioner

1.The Deputy General Manager
(Compliance and Assurance)
and Disciplinary Authority,
Zonal Office (Chennai),
Baroda Pride,
New No.41, IIIrd Floor,
Luz Church Road,
Mylapore,
Chennai-600 004.

2.Deputy General Manager and
Regional Head (RH),
Chennai Metro Region (CMR),
Regional Office, CMR , No.10,
C.P.Ramaswamy Road II Floor,
Alwarpet, Chennai- 600 018.



W.P. No.38632 of 2024

3.The Regional Manager,
Regional Office, Mangaluru Region,
Vijaya Tower, III Floor,
MSRS Road, Mangaluru,
Karnataka- 575 003.

4.Senior Manager,
Bank Of Baroda,
Alake Branch,
Mangaluru,
Karnataka- 575 003.

5. Shri. Tandra Ajay Kumar (EC NO.
101402),
(Inquiry Officer)
Chief Manager,
Bank Of Baroda,
KK Nagar Branch,
Natesan Salai, KK Nagar,
Chennai-600 083
Currently serving as Chief Manager at
Hubli Branch.

...

Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Mandamus forbearing the 5th respondent from conducting the disciplinary inquiry ordered by the 1st respondent vide the confidential order dated 13.10.2023 upon the charge memo served upon the petitioner in CHNZ:DP:VIG:T-668:13:240 confidential dated 30.03.2024 framed by the 1st respondent pending disposal of the criminal case pending against the petitioner and others in CC No.134/2024 pending on the file of the II Additional Senior Civil Judge & CJM Court, Mangaluru City, Karnataka State.



W.P. No.38632 of 2024

For Petitioner:

Mr.S.Dinuprashanth

For Respondents:

Mr.Anand Goapalan
for
M/s.Agam Legal Advocates
(R1 to R5)

ORDER

This Writ Petition has been filed to forbear the 5th respondent from conducting the disciplinary inquiry ordered by the 1st respondent vide the confidential order dated 13.10.2023 upon the charge memo served upon the petitioner in CHNZ:DP:VIG:T-668:13:240 confidential dated 30.03.2024 framed by the 1st respondent pending disposal of the criminal case pending against the petitioner and others in CC No.134/2024 pending on the file of the II Additional Senior Civil Judge & CJM Court, Mangaluru City, Karnataka State.

2. The learned counsel for the petitioner would submit that the petitioner was appointed as a Probationary Officer at Bank of Baroda and posted in Alake Branch, Bank of Baroda, Mangalore Zone on 02.08.2019 and thereafter served as a Loan Officer in the said branch till 06.04.2022. Due to health issues, the petitioner applied for an inter-zonal transfer to Chennai, which was granted to her on 01.04.2022. However, on 30.08.2023, the petitioner was suspended on 30.08.2023, alleging certain irregularities committed by her during her tenure in



W.P. No.38632 of 2024

the Alake Branch, which includes missing of jewels and forgery of documents.

Subsequently, a criminal case has been registered against the petitioner and the same is pending in C.C.No.134 of 2024, before the CJM Mangaluru, Further, he would submit that the petitioner will be greatly prejudiced, if the disciplinary proceedings as well as the criminal proceedings are proceeded simultaneously. That apart, this Court as well as Hon'ble Supreme Court in a catena of Judgments have held that criminal proceeding and departmental proceedings cannot be initiated simultaneously.

2.1. Further, he would submit that this Court a Bipartite Settlement was entered between the Indian Banks Workmen Association and the Bank on 10.04.2022 and as per clause 4 of the said Settlement, when a criminal proceedings are pending, departmental proceedings shall be stayed till the completion of the criminal proceedings. He therefore prays to allow this Writ Petition.

3. Per contra, learned counsel appearing for the respondents 1 to 5 would submit that the aforesaid Settlement is applicable only to workmen which includes sub-staff, clerical staff and special assistants and the petitioner is an officer and she is governed by the provisions of Officers, Bank of Baroda Officer Employees'(Discipline and Appeal) Regulations, 1976. Therefore,



clause 4 of the Bipartite Settlement is not applicable to the case of the petitioner.

That apart, the Hon'ble Supreme Court in the case of ***Indian Overseas Bank Vs. P.Ganesan*** reported in ***2008 1 SCC 650*** has held that Departmental proceedings and proceedings in a criminal case can proceed simultaneously as there is no bar in their being conducted simultaneously. He therefore prays for dismissal of this Writ Petition.

4. Heard both sides. Perused the records.

5. In the case on hand, admittedly a criminal case has been registered against the petitioner and the same is pending and that apart disciplinary proceedings have also been initiated against the petitioner and the same is also pending. As rightly contended by the learned counsel appearing for the respondents, Bipartite Settlement is not applicable to the petitioner for the reason that the petitioner is not a workman. She is an officer employed in the supervisory capacity. That apart, in the case of ***Indian Overseas Bank Vs. P.Ganesan*** reported in ***2008 1 SCC 650***, which was relied upon by the learned counsel for the respondents 1 to 5, the Hon'ble Apex Court has held that Departmental proceedings and proceedings in a criminal case can proceed simultaneously as there is no bar in their being conducted simultaneously.



W.P. No.38632 of 2024

6. In the light of the aforesaid discussions, the prayer sought for by the petitioner cannot be granted and the same is liable to be dismissed and accordingly dismissed. However, liberty is granted to the petitioner to put forth her defense before the disciplinary authority and the disciplinary authority shall also furnish the documents sought for by the petitioner in order to enable the petitioner to substantiate her case. No costs. Consequently, connected Miscellaneous Petitions are closed.

17-12-2025

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
arr



WEB COPY



W.P. No.38632 of 2024

To

1.The Deputy General Manager
(Compliance and Assurance)
and Disciplinary Authority,
Zonal Office (Chennai),
Baroda Pride,
New No.41, IIIrd Floor,
Luz Church Road,
Mylapore,
Chennai-600 004.

2.Deputy General Manager and
Regional Head (RH),
Chennai Metro Region (CMR),
Regional Office, CMR , No.10,
C.P.Ramaswamy Road II Floor,
Alwarpet, Chennai- 600 018.

3.The Regional Manager,
Regional Office, Mangaluru Region,
Vijaya Tower, III Floor,
MSRS Road, Mangaluru,
Karnataka- 575 003.

4.Senior Manager,
Bank Of Baroda,
Alake Branch,
Mangaluru,
Karnataka- 575 003.



WEB COPY



W.P. No.38632 of 2024

M. DHANDAPANI, J.

arr

W.P.No.38632 of 2024

18.12.2025