

2025:PHHC:136726-DB



LPA-2831-2025 (O&M)

Date of Decision: 29.09.2025

Punjab & Sind Bank and others

...Appellants

Vs.

Amarjit Singh Chawla

...Respondent

**CORAM: HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA
HON'BLE MR. JUSTICE ROHIT KAPOOR**

Present: Mr. R.N. Lohan, Advocate for the appellants.

Mr. Vipin Mahajan, Advocate for the respondent.

ASHWANI KUMAR MISHRA, J. (Oral)

1. This appeal arises out of an order passed by the learned Single Judge dated 06.08.2025, whereby the punishment order of dismissal imposed against the respondent/ writ – petitioner has been ordered to be substituted with the punishment of compulsory retirement.

2. Undisputed facts of the case are that the respondent was employed in the appellant-bank and has rendered unblemished service of about 34 years. He was proceeded with departmentally on the charge of his unauthorized absence from September, 2009 to June, 2010. The only charge attributed to the respondent was his continuous absence from service. It appears that absence continued till the order of dismissal was passed in the year 2012.

3. Learned Single Judge has held that the punishment of dismissal from service is grossly disproportionate to the charge levelled

against the respondent especially in view of the fact that the respondent had satisfactorily worked for more than three decades. It is for this reason that the learned Single Judge has directed the punishment to be altered from dismissal to that of compulsory retirement.

4. Learned Single Judge has also opined that ordinarily such matter would have been remitted for imposition of appropriate punishment but as the respondent has attained the age of superannuation several years ago and is about 72 years of age, as such, instead of remitting the matter to the employer, the punishment of dismissal has been substituted with that of compulsory retirement.

5. Learned counsel for the appellants does not dispute the fact that the service period of the respondent in the bank was more than three decades. It is submitted that subsequently criminal proceedings have been initiated against the respondent on account of his implication in a criminal case which was investigated by the CBI and trial of the same is in progress. Learned Single Judge has left it open for the employer to pass appropriate orders in the proceedings relating to the criminal case initiated against the respondent. Observations made by the learned Single Judge in that regard reads as under:-

“The respondent bank would be at liberty to proceed further in the said departmental proceedings and take appropriate decision, if it so desires. The present judgment thus would not be an impediment against the respondent bank in taking a considered decision on the said disciplinary proceedings contemplated/initiated.”

6. Having gone through the materials on record and after hearing the counsel for the parties, we are of the view that the order of substitution

of punishment of dismissal with that of compulsory retirement in view of the satisfactory services rendered by the respondent for more than three decades, is clearly a permissible view.

7. In that view of the matter, we do not find any error in the judgment passed by the learned Single Judge. The appeal lacks merit and is accordingly dismissed.

8. All pending misc. application(s), if any, also stands disposed of.

(ASHWANI KUMAR MISHRA)
JUDGE

(ROHIT KAPOOR)
JUDGE

29.09.2025

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1. Whether speaking/reasoned?	:	Yes/No
2. Whether reportable?	:	Yes/No