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

+ W.P.(C) 1017/2025

V.K MALHOTRA

.....Petitioner

Through: Mr. G.S. Chaturvedi, Advocate.

versus

UNION BANK OF INDIA & ORS.

.....Respondents

Through: Ms. Nazia Parveen & Mr. Rajeev
Sagar, Advocate for UBI.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **28.01.2025**

CM APPL. 5028/2025 (for exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

W.P.(C) 1017/2025 & CM APPL. 5029/2025, CM APPL. 5030/2025

1. The petitioner assails an order dated 02.07.2021 passed by the disciplinary authority of the respondent-Bank pursuant to an order of remand passed by this Court in an earlier round of proceedings. My attention is drawn to an order of a coordinate Bench dated 05.04.2021 in W.P.(C) 625/2016, which was upheld by the Division Bench by a judgment dated 12.10.2022 in LPA 298/2021. The petitioner carried the matter to the Supreme Court, but withdrew his special leave petition [SLP(C) No. 2659/2023], with liberty to challenge the order dated



02.07.2021.

2. Although the present writ petition has been filed against the order dated 02.07.2021, Mr. G.S. Chaturvedi, learned counsel for the petitioner, and Ms. Nazia Parveen, learned counsel for the respondent-Bank, who appears on advance notice, submit that the order dated 02.07.2021 is amenable to appeal under the Bank's Regulations. Mr. Chaturvedi submits that the order dated 02.07.2021 has been passed in disregard of specific directions in orders passed by this Court. These are matters which the appellate authority can consider in accordance with law.

3. Mr. Chaturvedi therefore seeks permission to withdraw the writ petition, subject to a direction that the respondent will consider the writ petition as an appeal against the order dated 02.07.2021.

4. Having regard to the peculiar factual position of this case, and the orders referred to above, the appellate authority is directed to consider the appeal and pass necessary orders within a period of three months from today.

5. All rights and contentions of the parties remain open.

6. The writ petition, alongwith the pending applications, is disposed of with the aforesaid directions.

PRATEEK JALAN, J

JANUARY 28, 2025

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