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

+ **W.P.(C) 1382/2023**

SHUBHAM SABOO

.....Petitioner

Through: Ms. Neetu Verma, Advocate.

versus

STATE BANK OF INDIA & ORS.

.....Respondents

Through: Mr. Akshit Kapur, AOR for SBI.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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15.05.2025

CM APPL. 29488/2025 (for early hearing)

1. By way of the present application, the petitioner, seeks early hearing of the writ petition.
2. With the consent of the parties, the application is allowed and the writ petition is taken on Board.

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3. The writ petition is directed against chargesheets dated 25.02.2022 and 16.03.2022 issued by the respondent – Bank against the petitioner, and for consequential orders of reinstatement and reimbursement of payments deducted from the petitioner's salary.
4. In the counter affidavit, the respondent – Bank has stated that against the chargesheet dated 25.02.2022, the Disciplinary Authority had passed an order of punishment dated 23.09.2022, imposing the punishment of “*reduction to lower grade in clerical cadre*” upon the



petitioner. The petitioner challenged the disciplinary order in appeal, which has been dismissed by order dated 24.02.2023. A copy of the said order has also been placed on record by the respondent as Annexure R-1 to rejoinder in CM APPL. No. 1127/2024, filed by it [at page 239 of the electronic file of the Court].

5. As far as chargesheet dated 16.03.2022 is concerned, the Disciplinary Authority, by an order dated 08.04.2022, communicated its decision to impose penalty of withholding of one increment for the period of one year, without cumulative effect. This order was also challenged by the petitioner before the Appellate Authority and culminated in an order dated 07.10.2022, which was communicated to the petitioner on 22.11.2022 [Page 164 of the electronic file of the Court].

6. The fact that the chargesheets have, thus, been disposed of, is not disputed. However, the orders of the Disciplinary Authority and the Appellate Authority have not been assailed in the writ petition. The reliefs sought in the writ petition has instead been framed in the following terms:

- “a) issue appropriate writ, order or direction thereby quashing the Charge sheet dated 25.02.2022 and 16.03.2022 issued by the respondents;*
- b) restrain respondent from initiating any proceedings against petitioner on the basis of charge sheet dated 25.02.2022 and 16.03.2022 issued by respondents;*
- c) Direct the respondents to re-instate the Petitioner from post from clerk to Assistant Manager;*
- d) Direct the respondents to reimburse the payment deducted from the salary with interest; and*
- e) Any other order which this Hon'ble Court deems fit in the circumstances and in the interest of justice.”*

[Emphasis supplied.]

7. Mr. Akshit Kapur, learned counsel for the respondent – Bank, also



states that the petitioner has not availed of the remedy of review in respect of the orders of the Appellate Authority. There is thus a domestic remedy still available to the petitioner, which in my view, should be exhausted before invoking the jurisdiction of this Court under Article 226 of the Constitution.

8. The writ petition is therefore disposed of, with liberty to the petitioner to avail of such remedies, as may be available to him, against the orders of the Disciplinary Authority and the Appellate Authority. In the event the request for review of the aforesaid orders is filed within four weeks from today, the Bank is directed to consider the request(s) on merits, rather than dismissing them on the ground of delay.

PRATEEK JALAN, J

MAY 15, 2025

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