



\$~51

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

+ W.P.(C) 2447/2019

SHRI MOHD. AZMATULLAH MOBEENPetitioner

Through: Mr. Athar Alam, Advocate.

versus

PUNJAB NATIONAL BANK AND ORS.Respondents

Through: Mr. Rajesh Kr. Gautam, Mr. Anant Gautam, Mr. Deepanjal Chaudhary, Mr. Dinesh Sharma, Ms. Likivi K. Jakhalu, Advocates for PNB.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **26.05.2025**

CM APPL. 32570/2025 (for rectification of order dated 08.04.2025)

1. The captioned writ petition was disposed of by order dated 08.04.2025. The present application has been filed seeking “*rectification*” of the said order in two respects:

- a) The petitioner submits that his suspension was communicated by a “*Suspension Letter dated 22.01.2018*”, but it has been erroneously described in the order as an “*Order of Suspension dated 22.01.2018*”.
- b) The petitioner claims that the Disciplinary Order dated 29.12.2018 passed against him does not contain any “*specific allegation of dereliction of duty assigned to him*”, as recorded in paragraph 6 of the order.



2. I have heard Mr. Athar Alam, learned counsel for the petitioner, and Mr. Rajesh Kr. Gautam, learned counsel for the respondent – Punjab National Bank.

3. The challenge in the writ petition was to disciplinary proceedings by which a minor penalty was imposed upon the petitioner. While relegating the petitioner to the appellate remedy available under the Punjab National Bank Officer Employees' (Discipline & Appeal) Regulations, 1977, and protecting him from dismissal of the appeal on the ground of delay, if the same was filed within four weeks from the date of the said order, the Court observed as follows:

"6. I have also examined the nature of the allegations against the petitioner in the Disciplinary Order, and the grounds raised in the petitioner's challenge. The charges include non-compliance with an order of suspension dated 22.01.2018, and attempts by the petitioner to enter the office premises to mark his attendance, as well as specific allegation of dereliction of duty assigned to him. These contentions, involving disputed facts and interpretation of service rules, are better suited for adjudication before the Appellate Authority than in writ proceedings under Article 226 of the Constitution."

4. I do not find either contention raised in the application to be merited.

5. The petitioner's suspension was communicated to him by a document dated 22.01.2018 (wrongly mentioned on the face of the document as 22.01.2017). It was a formal communication of the Chief Manager, which reads as follows:

"Vide Officer order no. 44/2017 dated 06.12.2017, you were assigned certain duties, but you refused to sign the Office Order. The authorities have taken a serious view of this and have advised to place you under suspension. Accordingly, you are placed under suspension with immediate effect. You are advised not to leave the station without permission of the competent authority. You will be entitled to subsistence allowance as per bank rules."



6. The suspension was thus formally conveyed to the petitioner by this communication. Whether the document is characterised as a “*letter*” or an “*order*” does not change its character. The Court proceeds on the substance of the matter, rather than the nomenclature assigned to it. No clarification of the nature sought by the petitioner is, therefore, warranted.

7. The petitioner’s second objection is equally baseless. The disciplinary order dated 29.12.2018 has been placed on record. The first charge against the petitioner was that he continued to enter the office premises despite having been placed under suspension. The second charge was that he left his duties on 02.05.2018 without processing cheques that were assigned to him. This clearly constitutes a specific allegation of dereliction of duty, as recorded in the order dated 08.04.2025.

8. For the aforesaid reasons, the application is dismissed.

PRATEEK JALAN, J

MAY 26, 2025

“Bhupi/SD”/