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

+ **W.P.(C) 6628/2025 & CM APPL. 30107/2025**

RAJIV KUMAR NIGAM

.....Petitioner

Through: Dr. Rajesh Mohan, Ms. Sadhvi
Swarup, Mr. Vibhu Jaiswal,
Advocates with petitioner.

versus

PUNJAB NATIONAL BANK

.....Respondent

Through: Mr. Rajesh Kumar Gautam, Mr.
Deepanjali Choudhary and Mr.
Dinesh Sharma, Advocates for
Bank.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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16.05.2025

1. By way of this writ petition under Article 226 of the Constitution, the petitioner assails an order of penalty dated 30.01.2021 and the appellate order dated 30.06.2021 passed against him by the respondent – Punjab National Bank [“Bank”].
2. It is the contention of Dr. Rajesh Mohan, learned counsel for the petitioner, that the disciplinary proceedings are *non-est* inasmuch as they were commenced by the service of a chargesheet on 27.05.2019, more than three years after his retirement on 31.03.2016. It is also contended that the penalty imposed is in excess of the provisions of Regulation 48 of the Punjab National Bank (Employees’) Pension Regulation, 1995 [“1995 Regulations”], inasmuch as a majority of the charges relate to transactions that occurred more than four years prior to issuance of the



chargesheet, and that the recovery at the rate of 50% of his pension is contrary to Regulation 48(2) of the 1995 Regulations.

3. Mr. Rajesh Kumar Gautam, learned counsel for the respondent-Bank, who appears on advance notice, submits at the outset that the writ petition is much belated and that the petitioner has not availed of the domestic remedy of review provided in the Bank's Service Rules.

4. In view of the aforesaid contention, Dr. Mohan, seeks permission to approach reviewing authority at this stage.

5. Having regard to the nature of the petitioner's grievances, and particularly to the fact that 69 different charges were considered in the disciplinary proceedings, I am of the view that relegating the petitioner to the remedy of review at this stage is appropriate, rather than entertaining a petition under Article 226 of the Constitution. If the request for review of the aforesaid orders is submitted to the reviewing authority within a period of four weeks from today, the authority is requested to consider the petitioner's request in accordance with law, and not to reject it merely on the ground of delay. It is expected that the reviewing authority will dispose of the request within a period of three months from the date of its submission.

6. The writ petition, alongwith pending application, is disposed of in these terms.

7. All rights and remedies of the parties remain reserved.

PRATEEK JALAN, J

MAY 16, 2025/'Bhupi/SD'/