

Form No. J(2)

Item No. DL / 02

RKD – A.R.(CT)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction
(Appellate Side)

W.P.A. NO 17073 OF 2025
(IA NO: CAN 1 OF 2025)

Uttam Chakraborty

-Vs-

Bank of Maharashtra & Ors.

BEFORE: THE HON'BLE JUSTICE SAUGATA BHATTACHARYYA

For the Petitioner : Mr. Samim Ahammed,
Ms. Ambiya Khatun

For the respondent Bank : Mr. Sourav Kumar Mukherjee,
Ms. Falguni Jana,
Ms. Sahana Pal,
Mr. Souhardya Mitra

Hearing concluded on : 13.02.2026

Judgment On : 13.02.2026

SAUGATA BHATTACHARYYA, J.:

1. Along with the application being CAN 1/2025 connected writ petition being WPA 17073/2025 is also taken up for final consideration.
2. By filing application petitioner has made a prayer for accepting his resignation letter dated 23rd April, 2025.

3. As disciplinary proceeding which was initiated against the petitioner culminated into an order of censure dated 25th November, 2025, learned advocate representing Bank of Maharashtra has filed a report and same is taken on record.
4. A queer stand is reflected i.e. necessity to file fresh application for resignation since at the time of submitting previous resignation application dated 23rd April, 2025 disciplinary proceeding was continuing.
5. Court has heard the learned advocates representing the petitioner and bank authorities in order to find out possibility of accepting previous resignation letter dated 23rd April, 2025.
6. Indisputably a disciplinary proceeding was initiated against the petitioner and during pendency of the said disciplinary proceeding petitioner submitted resignation letter dated 23rd April, 2025 which was not accepted by bank authority and in this regard a letter dated 15th July, 2025 was issued on behalf of the bank authorities refusing to accept said resignation letter.
7. In the writ petition being WPA 17073 of 2025 an order was also passed by a coordinate Bench on 19th August, 2025 thereby prayer of the petitioner to accept resignation letter was refused taking note of pendency of disciplinary proceeding.

8. Today situation is altered in view of final order being passed upon taking the disciplinary proceeding into logical conclusion. Vide order dated 25th November, 2025 disciplinary authority simply censured the petitioner. Now prayer is made on behalf of the applicant/petitioner to allow the application of the petitioner dated 23rd April, 2025 seeking resignation.
9. On perusal of order dated 25th November, 2025 of the disciplinary authority it appears that allegation against the petitioner was that he could not go through a search report in connection with a property furnished by the advocate of the bank though under Index-II an entry was made which was adverse to the title of the property in question.
10. Considering the said allegation no punishment was imposed upon the petitioner excepting an order of censure.
11. Since applicant/petitioner was only censured taking note of the aforesaid allegation, Court finds no impediment after conclusion of disciplinary proceeding to direct the bank authority to accept the resignation letter of the petitioner.
12. Situation was completely different when coordinate Bench passed order on 19th August, 2025 as at the material point of time disciplinary proceeding was subsisting against the petitioner.

13. It further transpires from the impugned letter dated 15th July, 2025 of AGM, HRM of the Bank that treating the application of the petitioner seeking resignation as VRS application, same was refused to be accepted.
14. However, on reading the letter of the petitioner dated 23rd April, 2025 it appears that petitioner simply prayed for resignation. Moreover, taking note of conclusion of disciplinary proceeding which was initiated against the petitioner culminating into an order of censure only, letter of the bank authority dated 15th July, 2025 is set aside.
15. In aforesaid conspectus, concerned bank authority is directed to accept resignation letter of the petitioner dated 23rd April, 2025 by fortnight from the date of communication of this order and a formal order is to be communicated to the petitioner by fortnight thereafter.
16. Writ petition and the connected application stand disposed of.
17. However, there shall be no order as to costs.
18. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)