



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH : NAGPUR.**

WRIT PETITION NO. 7168 of 2024

1. United Bank Employees' Union, (Sanyukt Bank Karmachari Sanghatna), a registered Trade Union under the Trade Unions Act, 1926-Regd. No. AWB/3412/2022, acting through its General Secretary Sri Kamal Rangwani, having its office at Plot No.20, Sant Gyaneshwar Society, Koradi Road, Mankapur, Nagpur-440 030 Maharashtra
Email id -staffunion1947@gmail.com,
Mobile 9960036001.
 2. Anilbabu Shrawan Sakhare, Age ____ Years, Occupation: Service, R/o Plot No.96, Sudarshan Colony, New Subedar Layout, Nagpur-440 024.
- .PETITIONERS**

Versus

1. The Assistant General Manager & Disciplinary Authority, State Bank of India, Office at Administration Dept., Local Head Office, Maharashtra Circle, 3rd floor, C-6, G-Block, Bandra Kurla Complex, Mumbai-400 051.
Agm.oadlhomah@sbi.co.in
2. The Chief Manager and Enquiry Officer, State Bank of India, Compliance and Risk Department, Administrative Office Building, Administrative Office, S. V. Patel Marg, Nagpur-440 001.
3. State Bank of India, through its Regional Manager, RBO-3, Wardha, 1st floor, Above Wardha Main Branch, J. C.Kumarappa Marg, Maganwadi, Wardha-442 001.

RESPONDENTS

Shri Y.R.Kinkhede, Advocate with Shri R.r. Phimpalkhute, Advocate for petitioners.
Shri B. N. Mohata, Advocate for respondents.

CORAM :- ANIL S. KILOR and RAJ D. WAKODE, JJ.

DATE :- 18th FEBRUARY, 2026.

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Heard the learned counsel appearing for the parties.

2. In the present writ petition an opportunity to the petitioner no.2 – Anilbabu Shravan Sakhare to be represented by one Shri Kamal Rangwani, a General Secretary of United Bank Employees Union, as his defense representative in the disciplinary proceedings has been denied on three grounds; namely (a) sufficient evidence is not produced by the petitioner no.2 to show that he is a member of the above referred Union; (2) the petitioner no. 2 is the member of multiple unions namely, (a) United Bank Employees' Union and (b) State Bank of India Employees Staff Union and (3) no evidence to show that Shri Kamal Rangwani is a member of SBI Employees Staff Union.

3. The reasons recorded by the Enquiry Officer, without any element of doubt show that for want of sufficient evidence as regards his membership with SBI Employees Staff Union, the request of the petitioner no.2 to allow Shri Rangwani to represent him in the enquiry, came to be rejected. It further shows that though the Enquiry Officer could have granted one opportunity to the petitioner no.2 to satisfy the above referred points, he without offering such opportunity, straightway rejected the request. Such approach cannot be permitted; particularly when, it is expected that in the enquiry proceedings not only the fair approach should be adopted but the equal opportunity shall also be granted to the parties.

4. Moreover, the Bank is not disputing that the petitioner no.2 is having right to be represented by the member of the Union. Therefore, the only question is whether Shri Kamal Rangwani be permitted to represent the

petitioner no.2 or not subject to satisfaction of points stated while rejecting the request of the petitioner.

5. In the circumstances, we refrain ourselves from making any comment on the documents filed along with the petition to establish that the rejection is baseless and without any substance, for the reason that it is a question of satisfaction of the Enquiry Officer. Therefore, we are of the opinion that such opportunity to get satisfied himself is to be granted to the Enquiry Officer.

6. Accordingly, we pass the following order:

- (i) The writ petition is partly allowed.
- (ii) The order dated 19.11.2024 passed by the Enquiry Officer is hereby quashed and set aside.
- (iii) We direct the Enquiry Officer to grant an opportunity to the petitioner no.2-delinquent to satisfy him (EO) on the points namely whether the petitioner no.2 is a member of United Bank Employees' Union and whether Kamal Rangwani is a member of said SBI Employees Staff Union.

As far as the third point that the petitioner no.2 is the member of multiple unions is concerned, the Enquiry Officer can not reject the application/request of the petitioner no.2, for the reason that under the relevant Rules there is no such prohibition.

- (iv) The writ petition is disposed of in above terms. No order as to costs.

(RAJ D. WAKODE, J.)

(ANIL S. KILOR, J.)