

CWP-4062-2001

2026.PHHC.077294



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

263(1st case)

CWP-4062-2001 (O&M)

Date of Decision: **11.05.2026**

Bhupinder Singh

....Petitioner

VERSUS

Union of India and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present : Mr. Karamveer Singh Banyana, Advocate for the petitioner.

Mr. Vikas Sonak, AAG Punjab.

Mr. Saurav Verma with Ms. Preeti Grover & Mr. Mukul Chauhan, Advocate for respondents No.2 to 6 with Mr. Gajender Kumar Negi, Chairman respondent No.3 in Person & Mr. Anil Kumar Mittal, General Manager respondent No.2 in person, PGB and Mr. Shivek Sharma, Law Officer.

HARPREET SINGH BRAR, J. (Oral)

1. The present civil writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of *certiorari* for quashing of the impugned order dated 20.03.1998 (Annexure P-14), vide which the petitioner though reinstated in service, was punished with stoppage of nine annual increments with cumulative effect. A further

CWP-4062-2001

2026.PHHC.077294



prayer has been made to direct the respondents to calculate and grant him annual increments as due to him according to his joining w.e.f. 23.01.1989.

BRIEF FACTS

2. Brief facts of the case are that the petitioner joined the respondent bank on 23.01.1989 as an officer on permanent post and was posted at Branch Office Thoba as Field Supervisor under training. The petitioner was confirmed w.e.f. 23.01.1991. On 15.06.1993, the petitioner was suspended without any warning letter or notice. Subsequently, he was served with a charge sheet dated 04.08.1993. An inquiry was conducted and on 15.04.1996, the petitioner was removed from the bank service but was not disqualified for further employment. Against the said order of removal, the petitioner filed an appeal dated 30.04.1996 before the Board of Directors of the Bank. The appellate authority vide order dated 20.03.1998 (Annexure P-14) reinstated the petitioner but imposed the punishment of stoppage of nine annual increments with cumulative effect. Consequent to which the petitioner joined back on 26.03.1998. It is the case of the petitioner that the copy of the said order was not supplied to him at the time of reinstatement and was only supplied on 13.01.2001 after various representations.

CONTENTIONS

3. Learned counsel for the petitioner *inter alia* contends that the punishment imposed is arbitrary and disproportionate as the petitioner's recommendations were only based on joint verification done by the sponsoring agency and the branch manager. It is argued that in the case of

CWP-4062-2001

2026.PHHC.077294



Assu, the loan was disbursed on 13.03.1992, much prior to the petitioner's recommendation on 06.04.1992. Similarly, in the case of Amarjit Kaur, the joint verification was done by the District Manager of Scheduled Caste Corporation and the then Branch Manager on 13.08.1991. Learned counsel further submits that no loss was suffered by the bank as all the loan accounts were adjusted and recoveries were being made. It is also argued that the petitioner was not supplied with the copy of the impugned order for close to three years, which prevented him from challenging the same earlier. Learned counsel also contends that there is discrimination as the disbursing officer was given a milder punishment while the petitioner was harshly punished.

4. *Per contra*, learned counsel for the respondents submits that the disciplinary proceedings were conducted in strict compliance with the prescribed procedure. A proper charge sheet was issued, an inquiry was conducted, the petitioner was given adequate opportunities to defend himself, and after considering his reply, the disciplinary authority passed the order of removal. The appellate authority, after due consideration, modified the punishment to stoppage of nine annual increments with cumulative effect. It is further submitted that the writ petition suffers from gross delay and laches as the impugned order is of 1998 and the writ petition has been filed in 2001. Learned counsel emphasizes that the scope of judicial review in disciplinary matters is extremely limited and this Court cannot reappreciate the evidence or interfere with the findings of the disciplinary/appellate authority unless they are perverse or arbitrary.

2026.PHHC.077294

**OBSERVATION & ANALYSIS**

5. I have heard learned counsel for the parties and perused the records with their able assistance.

6. It transpires that the petitioner, who joined the respondent bank on 23.01.1989 as a Field Supervisor, was served with a charge sheet on 04.08.1993 alleging irregularities in recommending loans, including recommendations made in favour of non-existing persons and without proper verification. A disciplinary inquiry was conducted wherein the petitioner submitted his defence. The Inquiry Officer submitted his report on 23.06.1995 holding the petitioner guilty of the charges. The Disciplinary Authority, vide order dated 15.04.1996, imposed the penalty of removal from service. The petitioner preferred an appeal before the Board of Directors, which, vide order dated 20.03.1998 (Annexure P-14), while directing reinstatement, modified the punishment to stoppage of nine annual increments with cumulative effect. The petitioner joined duty on 26.03.1998 pursuant to the said order.

7. The scope of judicial review under Article 226 of the Constitution of India in matters of disciplinary proceedings is limited and narrow. The power of judicial review is confined to examining the decision-making process, not the decision itself. Interference is warranted only when the findings recorded are perverse, arbitrary, or tainted by procedural illegality, or where there is a manifest error apparent on the face of the record resulting in a failure of justice. Additionally, this Court must ensure

CWP-4062-2001

2026.PHHC.077294



that the proceedings were conducted in compliance with the prescribed procedure and the principles of natural justice, and that the penalty imposed is not so disproportionate to the misconduct as to shock the judicial conscience. This limited scope of review has been consistently affirmed by the Hon'ble Supreme Court in *B.C. Chaturvedi v. Union of India*, (1995) 6 SCC 749 and reiterated in *State of Karnataka v. N. Gangaraj*, (2020) 12 SCC 539, wherein it was held that courts and tribunals, while empowered to review decisions of disciplinary authorities, are not appellate forums to reappreciate evidence or substitute their own conclusions for that of the disciplinary authority.

8. This court shall only intervene where there is procedural irregularity or deviation from the procedure prescribed. Reliance in this regard may be placed on the judgement rendered by a Three Judge Bench of the Hon'ble Supreme Court in *State of Andhra Pradesh v. S. Sree Rama Rao* 1963 INSC 97.

9. The petitioner has failed to demonstrate that the inquiry was conducted by an incompetent authority, that there was a violation of natural justice or the procedure prescribed, or that the findings are based on no evidence, or that the punishment is shockingly disproportionate and thus perverse. The submissions made by the petitioner essentially seek a reappreciation of evidence, which is beyond the scope of judicial review in writ jurisdiction.

CWP-4062-2001

2026.PHHC.077294



CONCLUSION

10. Consequently, this Court finds no grounds to interfere with the impugned orders. The writ petition being devoid of merit is accordingly dismissed.

11. No order as to costs.

12. Pending miscellaneous application(s), if any, shall also stand disposed of.

(HARPREET SINGH BRAR)
JUDGE

11.05.2026
Puneet Chawla

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No