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

\+ W.P.(C) 10201/2016

RAMESH CHANDRA SUMAN .....Petitioner

Through: Ms. Shanti Prakash, Adv.

versus

GENERAL MANAGER (NW-III)/(DISCIPLINARY AUTHORITY) STATE BANK OF INDIA AND ORS .....Respondents

Through: Mr. Siddharth Sangal & Ms. Richa Mishra, Advs.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

O R D E R

% **13.01.2026**

1. This writ petition is directed against order dated 24th July, 2014 passed by the Disciplinary Authority, the appellate order dated 5th November, 2014, and the order dated 4th June, 2015 passed by the Review Committee. By the disciplinary order, the Petitioner was visited with the penalty of "censure" coupled with a monetary penalty of INR 20,000/-.

Factual Background

2. The Petitioner, at the relevant time, was posted as Chief Manager at the Mainpuri Branch of the State Bank of India, Mainpuri, Uttar Pradesh. During his tenure, certain issues arose in relation to measures adopted by the branch in respect of accounts of Shri Harsh Chet and Shri Praful Chet, who, apart from being borrowers of the Bank, were also landlords of the branch premises. The Bank proceeded under the framework of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest

Act, 2002 Act[1] in relation to the said borrowers.

3. A departmental proceeding was initiated against the Petitioner on the allegation that, while functioning as Chief Manager, he failed to discharge duties with devotion and diligence, acted in a manner unbecoming of a Bank official, and acted prejudicially to the Bank's interest, thereby violating Rule 50(4) of the State Bank of India Officers' Service Rules, 1992.[2] The charge, as framed, referred to the statement of imputations, which contained multiple allegations.

4. A departmental inquiry was held. Upon conclusion, the Disciplinary Authority, by order dated 24th July, 2014, recorded that Allegation No. 1 stood proved and Allegation Nos. 5 and 6 stood partly proved, and imposed the penalty of censure along with a cash penalty of INR 20,000/-.

5. The Petitioner preferred a statutory appeal, which was rejected by the Appellate Authority by order dated 5th November, 2014. A review was also preferred, which was rejected by the Review Committee by order dated 4th June, 2015. Aggrieved, the Petitioner has approached this Court seeking judicial review of the disciplinary action, the appellate affirmance, and the review rejection.

Petitioner's Case

6. Counsel for the Petitioner assails the impugned order on multiple grounds, summarised as follows:

6.1. The disciplinary proceedings are alleged to be biased, pre-determined, and arbitrary, with the inquiry report reflecting a closed mind and ignoring or misreading the defence material. It is contended that the Petitioner acted

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[1] "SARFAESI Act"
[2] "SBI Service Rules"

within the permissible authority of a Chief Manager in matters of recovery and NPA management, and that the proceedings were initiated to harass him and stall his career progression, including promotions due around 2014.

6.2. The inquiry is vitiated by breach of natural justice, as the complaint and investigation report forming the foundation of the proceedings were not supplied to the Petitioner, thereby denying him an effective opportunity of defence.

6.3. The appointing authority for the Petitioner's post was the Chief General Manager, SBI, Local Head Office, New Delhi. Therefore, the General Manager, being an authority lower than the appointing authority, could not have acted as the Disciplinary Authority.

6.4. On merits, the finding on Allegation No. 1 is assailed on the ground that the Petitioner acted in accordance with the Regional Office instructions dated 30th June, 2011, which prescribed pre-conditions for credit of rent arrears and withdrawal of cases that were not fulfilled by the landlords, who were wilful defaulters and whose account had turned NPA.

6.5. Similar objections are raised with respect to the findings on Allegation Nos. 5 and 6, which were held to be partly proved. It is contended that recovery measures were initiated pursuant to directions of the Regional Office and within the Petitioner's authority under the SARFAESI Act. It is urged that the inquiry proceeds on unwarranted assumptions regarding the manner of taking possession or affixation of notices, while attributing liability to the Petitioner even for events occurring after his transfer.

6.6. The appellate order is a non-speaking affirmation and does not deal with the Petitioner's grounds in a reasoned manner. The same allegation is raised against the review order, which, according to the Petitioner, mechanically endorses the inquiry findings without independent scrutiny.

6.7. Without prejudice, it is urged that the punishment of censure coupled with a monetary penalty of INR 20,000/- is disproportionate because the Petitioner has not caused any loss to the bank, acted in accordance with directives issued by the Bank, and served with sincerity. The Petitioner emphasises that even a minor penalty of censure has serious civil consequences in a banking organisation, particularly for promotion and career progression.

6.8. The disciplinary action is discriminatory. The Petitioner points out that other officers who held charge of the branch during earlier periods, when the account turned NPA and rent issues allegedly persisted, have not been proceeded against. He also asserts that he belongs to the Scheduled Caste community and contends that his career growth has been curtailed on account of prejudice.

Respondent's Case

7. Submissions of the Respondent Bank are summarised as follows:

7.1. This writ petition is an impermissible attempt to seek appellate reappreciation of departmental findings. The inquiry, it is urged, was conducted strictly in accordance with the applicable service rules; the Petitioner was afforded due opportunity at all stages; and the findings are based on documentary evidence. Interference under Article 226 is limited to cases of jurisdictional error, breach of natural justice causing prejudice, or perversity based on lack of evidence, none of which is made out.

7.2. The disciplinary action has been taken by the authority prescribed under the SBI Service Rules and the internal allocation of disciplinary powers. The Petitioner's assertion that only the appointing authority can act as the Disciplinary Authority is legally untenable. The Petitioner has neither produced the relevant rule nor demonstrated any rule-bar in support of this contention.

7.3. The allegation of non-supply of the complaint and investigation report is misconceived. It is submitted that the inquiry proceeded on documentary and contemporaneous record, not on any undisclosed material. The complaint, it is urged, merely triggered the process and did not form the evidentiary basis of the findings. Further, the Petitioner fully participated in the proceedings and has failed to show any prejudice arising from the alleged non-supply.

7.4. On merits, emphasis is placed on Allegation No. 1, the principal charge, relating to non-compliance with approved instructions concerning adjustment of rent arrears and closure of the borrowers' NPA account. Reliance is placed on the minutes dated 26th May, 2011, which record a structured course of action, whereby the due rent of the bank premises was to be calculated after verification of the bank records and, upon such determination, the amount found payable was to be deposited in the loan account of the owners; further, it was stipulated that any remaining balance in the said NPA account would be deposited by the owners themselves so as to enable its immediate closure, with the entire exercise to be completed by 30th June, 2011. The inquiry findings, it is submitted, flow from the Petitioner's failure to ensure compliance within the stipulated timeline.

7.5. The Petitioner has attempted to portray the Regional Office letter dated 30th June, 2011 as a complete re-casting of the earlier decision. It is submitted that the departmental authorities examined the Petitioner's reading of that communication and, on a reasonable appraisal, concluded that it did not justify withholding adjustment of arrears. The Petitioner had introduced an unwarranted unilateral pre-condition inconsistent with the approved decision.

7.6. With respect to Allegation Nos. 5 and 6, which were partly proved, it is submitted that the inquiry adopted a balanced approach, faulting not the initiation of recovery *per se*, but the manner in which steps were taken, resulting in avoidable institutional exposure. It is submitted that these findings are also rooted in the record and are not amenable to reappreciation in writ jurisdiction.

7.7. The appellate and review orders are reasoned and reflective of due application of mind. It is submitted that the authorities are not required to render judgments *akin* to courts, and it suffices that the substance of the grounds has been considered.

7.8. On proportionality, it is urged that the penalty imposed, *i.e.*, censure with a monetary penalty of INR 20,000/- is a minor and measured response to proven lapses of devotion and diligence that adversely impacted the Bank's interest and reflected disobedience of directions. The Petitioner's apprehension of impact on promotion cannot convert a minor penalty into one that shocks judicial conscience.

7.9. Allegations of bias, malice, "hidden hands", and discrimination on account of Scheduled Caste status are bald, vague and unspecific. Such allegations cannot displace a disciplinary finding supported by contemporaneous record, particularly where the Petitioner has not impleaded or identified specific individuals whose *mala fides* are alleged, nor pleaded material particulars showing differential treatment on comparable facts.

Analysis and Findings

8. The challenge arises from departmental action culminating in a minor penalty. The function of judicial review under Article 226 in disciplinary matters is supervisory, not appellate. This Court is to examine whether the process suffered from jurisdictional infirmity, denial of fair opportunity causing prejudice, perversity in the sense of findings resting on no evidence, or punishment that is so disproportionate as to warrant interference. Reappreciation of evidence, reweighing of competing inferences, and substitution of the Court's view for the disciplinary view are outside this remit.

9. The petition raises five main heads: (i) competence of the Disciplinary Authority, (ii) procedural fairness and non-supply of documents, (iii) perversity of findings on merits, (iv) non-application of mind by the appellate and reviewing authorities, and (v) proportionality. The allegations of *mala fides* and discrimination stand as a separate theme. Each is dealt with in turn.

Competence of the Disciplinary Authority

10. The Petitioner asserts that the Chief General Manager was the appointing authority and, therefore, the General Manager could not act as the Disciplinary Authority. The submission, as framed, proceeds as if disciplinary competence must invariably vest only in the appointing authority. Service jurisprudence does not accept such a broad proposition. Competence is determined by the applicable rules and the internal delegation or designation of disciplinary powers for the particular grade and cadre.

11. The Petitioner has failed to place on record the relevant rule to

demonstrate that the General Manager lacked disciplinary competence in respect of an officer of the Petitioner's grade. Rule 67 of the SBI Service Rules classifies penalties, with clauses (a) to (e) constituting minor penalties (including censure under clause (a)) and clauses (f) to (j) constituting major penalties. Rule 68(1)(ii), which governs the initiation and procedure for disciplinary action, restricts the imposition of penalties under clauses (e) to (j) of Rule 67 where the Disciplinary Authority is lower in rank than the Appointing Authority, unless imposed by the Appointing Authority or a higher authority. However, no such embargo operates in respect of the penalty of censure or recovery of INR 20,000/- imposed in the present case. In the absence of any demonstrated rule-bar or lack of jurisdiction, this contention cannot vitiate the disciplinary action.

Procedural fairness and non-supply of complaint and investigation report

12. The Petitioner alleges that the complaint and the investigation report were not supplied to him. The controversy on the principal charge turns on the contemporaneous minutes dated 26th May, 2011, the subsequent communications, and the Petitioner's own defence that the Regional Office letter imposed pre-conditions. Those are issues the Petitioner did contest on record. On these pleadings, the proceedings cannot be set aside on this ground.

13. Even accepting the grievance at face value, invalidation is not automatic. The core question is whether non-supply deprived the Petitioner of a fair opportunity to meet the case against him and caused real prejudice.

14. The disciplinary record, as extracted in the impugned order, reflects reliance on documentary exhibits and contemporaneous record. The Petitioner participated in the inquiry, articulated a detailed defence, relied on

documents, and examined defence witness material. The Petitioner has not demonstrated that any undisclosed complaint or investigation report constituted the substantive foundation for the finding, or that a specific exculpatory aspect contained therein could not be urged because the document was withheld. The objection is thus devoid of merit.

Merits and the "no evidence/perversity" threshold

15. Allegation No. 1 is the principal allegation, concerning the adjustment/credit of rent arrears payable by the Bank to the landlords, and the linkage of that adjustment to the borrowers' loan account which was categorised as non-performing. The departmental finding is that the Petitioner did not credit the arrears of rent in the borrowers' loan account and thereby disobeyed lawful instructions, resulting in continued irregularity. The Petitioner's defence is that the Regional Office letter dated 30th June, 2011 required the landlords first to deposit INR 2,98,920/- and withdraw cases and complaints, and only upon fulfilment of those conditions could the arrears be adjusted or paid.

16. The minutes of the meeting dated 26th May, 2011, reproduced in the record, record a structured arrangement. The calculation of due rent was to be undertaken and the amount found due was to be deposited in the landlords' NPA loan account. The minutes then contemplate closure of any remaining balance by the owners. The timeline was fixed, with the work relating to due rent and the loan account to be completed by 30th June, 2011.

17. The Petitioner's defence seeks to invert that sequence by treating the landlords' deposit and withdrawal of litigation as a strict pre-condition for the Bank's credit of arrears. The Disciplinary Authority considered that defence and, on an appraisal of the minutes and subsequent correspondence,

declined to accept that the Petitioner was entitled to withhold crediting the arrears in the manner done. That appraisal represents a plausible departmental view on contemporaneous record.

18. The test in writ jurisdiction is not whether another view is possible, but whether the adopted view is unsupported by record or irrational. On the record extracted, the finding on Allegation No. 1 cannot be characterised as a finding based on no evidence. The contemporaneous minutes and the timeline fixed therein provide a rational basis for the conclusion that the Petitioner's conduct departed from the approved course.

19. Allegation Nos. 5 and 6 were recorded as partly proved. The Petitioner's objections on those allegations invite reappreciation of the recovery process, the necessity and manner of taking possession, and the downstream consequences of recovery steps. The Disciplinary Authority has taken a calibrated view, and the findings rest on documentary material and the departmental understanding of compliance within the Bank's recovery framework. No perversity is made out.

Appellate and review orders

20. The Petitioner contends that the appellate and review orders are unreasoned. An appellate authority in departmental matters is required to consider the substance of the grounds and decide whether interference is warranted. It is not obliged to draft an elaborate judgment in the manner of a court, particularly where the disciplinary order itself sets out the evidentiary basis and the reasoning.

21. The appellate authority upheld the findings and declined interference. The reviewing authority also declined to reopen the matter. The petition does not demonstrate that any material defence was ignored altogether or

that the appellate or reviewing authorities proceeded on an irrelevant consideration. The challenge on this head, therefore, does not justify interference.

Allegations of mala fides, "hidden hands", discrimination, and Scheduled Caste bias

22. The petition contains allegations suggesting malice, jealousy, conspiracy, and discrimination on account of Scheduled Caste status, coupled with a plea of selective action *vis-à-vis* other officers. Such allegations, serious in content, require pleading of material particulars and a demonstrable factual foundation. Generalised assertions, without identification of responsible decision-makers, particulars of comparable cases, and pleading of specific discriminatory acts, cannot displace a disciplinary finding supported by contemporaneous record.

23. The plea that other officers were not proceeded against is also insufficient in the abstract. Departmental liability is assessed on role, decision-making, and the specific acts imputed. Absence of action against others, without establishing parity in role and responsibility on materially identical facts, cannot vitiate the action against the Petitioner.

Proportionality

24. The departmental findings pertain to lack of due diligence and disobedience of instructions in a matter bearing upon the Bank's institutional interest and NPA management. The penalty imposed comprises censure coupled with recovery of INR 20,000/-, which is a minor penalty. It neither entails termination of service nor reduction in rank, nor does it carry any long-term disqualification.

25. The submission that the penalty may affect promotion does not, by

itself, render the punishment disproportionate in judicial review. Once misconduct is established on record and the penalty is modest, the threshold for interference on proportionality is not met.

Conclusion

26. The petition does not disclose any jurisdictional infirmity, denial of fair opportunity causing prejudice, perversity in the findings, or punishment warranting interference under Article 226.

27. The writ petition is dismissed. Pending applications, if any, also stand disposed of.

SANJEEV NARULA, J

JANUARY 13, 2026/*ng*