

**(2005) 03 MAD CK 0016**

**In the Madras High Court**

**Case No : Writ Petition No. 12823 of 2001**

Sankaranarayanan M.

APPELLANT

Vs

State Bank of India and Others

RESPONDENT

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**Date of Decision : 24-03-2005**

**Acts Referred:**

Constitution of India, 1950 — Article 226  
Industrial Disputes Act, 1947 — Section 11A  
State Bank of India (Officers Service) Rules, 1992 — Rule 19(3), 67  
State Bank of India (Supervisory Staff) Service Rules, 1975 — Rule 20(B)

**Citation : (2005) 2 LLJ 992**

**Hon'ble Judges : D. Murugesn, J**

**Bench : Single Bench**

**Advocate : N.G.R. Prasad, for Row and Reddy, for the Appellant; S. Jayaraman, for the Respondent**

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## **Judgement**

D. Murugesn, J.—The petitioner joined as cashier in the Ramanathapuram Branch of State Bank of India in the year 1961. After various

promotions, he was lastly promoted as Chief Manager during February, 1998 while he was working in Madurai Main Branch. He was transferred

to Tuticonn Branch where he worked from June 10, 1994 to June 15, 1996. Thereafter, he was transferred to the main branch of State Bank of

India at Chennai during February, 1998. It appears that on February 9, 1998, while the petitioner was on transfer to Chennai, a letter was issued

by the Assistant General Manager, Madurai levelling certain allegations and thereby called the petitioner to submit his explanation. An explanation,

dated February 20, 1998, was submitted denying the allegations. The petitioner was suspended on March 12, 1998, but no further action was

taken.

2. On the eve of the retirement of the petitioner, he was issued with the chargesheets, dated February 3, 1999, and February 11, 1999, containing the following charges:

Charge-sheet, Dated February 3, 1999:

(1)(a) It has been reported that under your direction and advice, the Manager, P.B. Division, had recommended 3 clean overdraft limits of Rs.

10,000 each to K. Ethiraj, D. Bashyam and S. Suresh and you had sanctioned these loans on March 11, 1995 and on June 26, 1995 despite the

addresses furnished therein by them are false and not living at the given addresses and also failed to report the sanction to the controllers as per

extant instructions.

(b) It has further been reported that you had, compelled the Manager P.B. Division to sanction clean overdraft of Rs. 5000 and Rs. 10,000 to

persons known to you, viz., M. Kannan, M. Ramasubramanian on March 26, 1996 and May 2, 1996 respectively and confirmed the sanction

despite the addresses furnished are false and not living at the given addresses.

(2) You had with ulterior motive compelled the Deputy Manager (SIB) Division to sanction 3 loans under D.I.R. scheme to Smt. J. Vijayamani, S.

Gandhimathi and S. Selvi without giving sufficient time even to conduct the presanction inspection as is evidenced from the fact that the repayments

were effected by you direct to these accounts.

(3) You had misutilised the loan amounts relating to 5 clean overdrafts and 3 D.I.R. loans as evident from the fact that the repayments into the

respective loan accounts were made by you direct by involving the other officials at the branch to prepare, sign the vouchers for such remittance.

(4) You had purchased 9 drafts at Sivaganga Branch between July 1986 and October 1996 favouring Manager (PB)/Deputy Manager (SIB)/

Accountant and sent to the respective officials with instructions to credit the proceeds to the eight overdraft/D.I.R. loan accounts without bringing

the borrowers into the picture clearly indicating the mis-utilisation of the loan amounts for your personal gains.

(5) You had used your influence as Chief Manager of Tuticorin Branch to facilitate your wife Smt T. Chellakannu to avail 4 Gold loans at a

concessional rate of interest under Agricultural segment at our Tuticorin Bazaar/ Tuticorin Harbour Estate/SPIC Nagar branches without furnishing

the details of land holdings to justify the concessional rate of interest and also furnishing false addresses in the loan applications thereby misrepresented the facts.

(6) You had failed to protect the interests of the bank by sanctioning the Agricultural Term Loan for Rs.3.00 lakhs (ATL 123) on March 27, 1995

to Sri R. Igrone Fernando when earlier two loans were guaranteed by him and sanctioned to Sri P. Nasaren (ATL 101) for Rs. 3.50 lakhs on

March 27, 1999 and to Sri R. Joseph (ATL 100) for Rs.3.50 lakhs were settled through compromise. You had thus granted the loan against the

banks interests to a defaulted guarantor without making any efforts to recover the bank's dues, you had also not replied to the queries raised by

Zonal Office on the control form sent in respect of ATL for Rs. 3.00 lakhs sanctioned to Sri Frix Fernando and five other ATL accounts.

Charge-sheet dated February 11, 1999:

You had made false claim in your T. A. Bill, dated March 31, 1998, submitted at Chennai Main Branch on account of your transfer from

Sivaganga to Chennai by producing a bogus lorry receipt, dated March 10, 1998 for Rs. 2,800 issued by Kumaresan Lorry Service.

3. The petitioner submitted his explanations, dated February 6, 1999 and February 12, 1999 denying all the charges. Not satisfied with the

explanations, an enquiry was initiated and while the enquiry was pending, in exercise of powers under Rule 20(B) of the State Bank of India

(Supervising Staff) Service Rule read with Rule 19(3) of State Bank of India Officers Service Rules, the petitioner was allowed to retire, without

prejudice to the enquiry. After enquiry, the enquiry officer submitted his report, dated November 11, 1999 in respect of the charge-sheet, dated

February 3, 1999 holding that the charge Nos. 1(a) and (z) were partly proved, charge No. 1 (b) was not proved and the remaining charges were

proved. He also submitted another report, dated November 13, 1999 in respect of the charge-sheet, dated February 11, 1999, holding that the

charge was proved. Not satisfied with the explanations, by an order, dated August 8, 2000, the petitioner was imposed with the punishment or

dismissal from service in terms of Rule 67(j) of State Bank of India Officers Service Rules. Aggrieved by the said order, the petitioner preferred an

appeal to the appellate committee, and the same was rejected on May 10, 2001.

The order was communicated to the petitioner vide letter of the Deputy-General Manager (Appeals and Review), dated May 14, 2001. Questioning both the orders, the present writ petition has been filed.

4. Sri N.G.R. Prasad, learned counsel for the petitioner has questioned the impugned orders basically on the following grounds:

(i) The findings of the enquiry officer are contrary to the evidence on record and are perverse.

(ii) Except in charge No. 6, the petitioner did not sanction the loans on his own and the loans were sanctioned only on the recommendations of the

Personnel Managers and the Field Officers concerned. Those officers have not been proceeded with and the petitioner alone has been

discriminated.

(iii) In the absence of examination of the material witnesses in respect of each of the charges, the findings of the enquiry officer based on the

evidence of the management witnesses alone are perverse and consequently the said reports cannot be the basis for the impugned orders.

(iv) In any case there was no loss to the bank, as the entire loans had been repaid and the past record was unblemished.

Sri S. Jayaraman, learned counsel for the fourth respondent-bank, on the other hand, would submit that taking into account the overall

circumstances in granting sanctioning loans to certain individuals, it could be inferred the hidden compulsion, dishonest intention and the ulterior

motive on the part of the petitioner. He would also submit that the clean past record of service may not be a relevant factor for passing final orders

if the punishment is warranted in view of the gravity of charges. Equally the question of no monetary loss to the bank has no relevance, as the

integrity and honesty of the officers of the bank is paramount.

6. Both the learned counsel took me extensively through the deposition of the witnesses, reports of the enquiry officer, the orders of the disciplinary

authority and the appellate committee.

7. After the insertion of Section 11-A in the Industrial Disputes Act, the Labour Court or the Industrial Tribunal, as the case may be, is competent

to reappraise the evidence and come to its own conclusion for passing final order. Findings recorded by the Labour Court/Tribunal cannot be

reappreciated by this Court in exercise of power under Article 226 of the

Constitution of India as the power of judicial review is very limited. The findings could be interfered with only in case where the same are perverse, unsupported by material and the enquiry proceedings are without jurisdiction. Even if the order of Labour Court/Tribunal is based on some evidence, this Court shall not interfere in the Order on the ground of insufficiency of evidence.

8. This legal position would be different when an order imposing punishment is made on the basis of the findings in the enquiry and the same is tested directly before this Court where the provision of the Industrial Disputes Act are not attracted. In the circumstances, this Court would be competent to go into the said findings of the enquiry officer to find out as to whether they are supported by any materials or that the said findings are perverse or a reasonable man could not have arrived at such findings. This Court would also be competent 1 to go into the sufficiency of evidence as the order of disciplinary authority or the appellate authority as the case may be, are listed before a judicial forum for the first time.

Seeking redressal before a judicial forum against orders 1 of the authorities would be frustrated even in cases where such orders are made on no evidence or unacceptable evidence.

9. This Court would also be justified 2 under Article 226 to examine the evidence to satisfy itself whether the conclusion of the disciplinary authority is correct. The jurisdiction of this Court to examine and satisfy itself on the correctness of the charges is not ousted under Article 226 of the Constitution of India when there was no evidence to support the finding or no disciplinary authority with a judicial cost of mind could possibly reach the conclusion. The adequacy or inadequacy of evidence to support a finding is not within the jurisdiction of this Court under Article 226.

But this Court can certainly exercise its jurisdiction when complaint is made that there is no acceptable evidence at all to support the conclusion arrived by the disciplinary authority or the enquiry officer as the case may be.

10. In Union of India (UOI) Vs. H.C. Goel, , while considering the finding of fact recorded by the 4 enquiry officer at the departmental enquiry, a

Constitution Bench of the Supreme Court has held as follows at p. 45 of LLJ:

...In exercising its jurisdiction under Article 226 on such a plea, the High Court cannot consider the question about the sufficiency or adequacy of

evidence in support of a particular conclusion. That is a matter which is within the competence of the authority which deals with the question; but the High Court can and must enquire whether there is any evidence at all in support of the impugned conclusion. In other words, if the whole of the evidence led in the enquiry is accepted as true, does the conclusion follow that the charge in question is proved against the respondent? This approach will avoid weighing the evidence. It will take the evidence as it stands and only examine whether on that evidence legally the impugned conclusion follows or not....

11. This Court would certainly be failing - in its duty if merely because a question of fact is involved, this Court should refuse to examine the evidence, not with a view to drawing its own conclusion thereon, but solely directed to determining whether there is evidence to support such conclusion reached by the enquiry officer and whether the enquiry officer has examined or failed to examine the evidence in its entirety. In *State of Orissa v. Murlidhar* AIR 1963 SC 404 the Supreme Court has ruled that in proceedings under Article 226, the High Court cannot sit in appeal over the proceedings recorded by a competent authority in a departmental enquiry, but it is open to it to find whether there is evidence or not to justify the conclusion.

12. Keeping the above principles of law in mind, the grievance of the petitioner in this writ petition should be considered. So far as the charge No.

1(a) is concerned, it is alleged that on the direction and advice of the petitioner, the Manager, P.B. Division recommended three clean overdrafts

for Rs. 10,000 each to Ethiraj, Bashyam and Suresh and that the petitioner had sanctioned the said loans on March 11, 1995 and June 26, 1995

despite the addresses furnished by them were false. To sustain the said charge one M.R. Chakrapani, the Personnel Manager has been (sic)

examined. He has deposed that while he was working in Tuticorin branch, the petitioner introduced the above three individuals by saying that they

will be helpful for business development in future. On the basis of the recommendation he recommended the loans. He has also admitted that he

did not satisfy himself about the addresses and status of the borrowers. From the above statements there is nothing to indicate that the petitioner

had influenced the Manager of P.B. Division in any manner to advancement of

overdraft facility. The charge is that after the Manager recommended the loans the petitioner had sanctioned the loans to the three individuals, though they furnished false addresses and that the petitioner had failed to report to the controller. In this context, the statement of P.W.1 is very clear that he, being the recommending authority, did not even verify the addresses and status of the borrowers before recommending the loans. That apart, it is an admitted fact that one of the borrowers by name S. Suresh, after the loan was sanctioned on June 26, 1995, had personally gone to the bank and closed the account on November 11, 1996 as could be seen from Exhibit P 66. The loans had been completely repaid by all the three individuals and there is no dispute on the same.

Nowhere in the statement of P. W. 1 it is stated that the addresses given by the three individuals were false as even according to him, he did not verify the addresses and status of the borrowers. No other material or evidence was placed before the enquiry. A mere advice cannot be considered to be an influence on the recommendatory officer. In the absence of the same, the charge, viz., that the overdrafts were sanctioned to persons who had furnished false addresses stands unproved and the finding in this regard is without any material. The enquiry officer also failed to note that none of the beneficiaries of overdraft were examined in the enquiry to prove the charge, so far as the non-reporting about the sanction of loans to the controller, the Manager, P.B. Division is alone empowered to report to the controller in case of overdrafts up to Rs. 25,000. Further, there is absolutely no evidence to sustain the said charge of non-reporting to the controller.

13. So far as the charge No. 2 is concerned, it is alleged that the petitioner with ulterior motive compelled the Deputy Manager, SIB to sanction three D.R.I. Loans to Vijayarani, S. Ganthimathi and S.Selvi without giving him sufficient time to even conduct pre-sanction inspection. The evidence of P.W.4 was extensively read by both the learned counsel. P.W.4 by name V. Sundarraaj has deposed that the petitioner knew all the applicants and after he completed the formalities asked him to sanction the loans. He has also stated that he went to the petitioner's official residence and filled up the forms in the presence of the petitioner with particulars given by him and the photographs of the applicants were also

taken in the residence. He has also deposed that the petitioner called the witnesses to his room and handed over the amount and asked him to remit the amount which he did. From the said statement, the enquiry officer came to the conclusion that the petitioner with ulterior motive compelled the Deputy Manager to sanction the loans. The loans sanctioned to the three applicants are Rs. 2,500, Rs. 5,000 and Rs. 5,000 respectively. It must be kept in mind that the charge is that the petitioner did not give sufficient time even to conduct pre-sanction inspection. Here again it must be seen that the enquiry officer, though has accepted the statement of the witness to draw the conclusion that the petitioner with ulterior motive directed the said Deputy Manager to advance the loans without even giving sufficient time, has failed to note that the application forms were filled by the said witness himself in the presence of the applicants and was present when the photographs of the applicants were also taken. Can an inference be drawn against the petitioner alone that when the above took place the witness who is none other than the sanctioning officer was also present. The findings of the enquiry officer is on the basis of inference and presumption. That finding on inference, in my considered view, is perverse, as a plain reading of the statement of P. W. 4 does not indicate any ulterior motive on the part of the petitioner, except he being the Chief Manager had taken some interest in the sanction of loans as he knew the applicants. The fact further remains that the officer who is duty-bound to make pre-inspection did not do so and sanctioned the loan and he has not been proceeded with. Here again we must not forget that the entire loans had been repaid in time and none of the loanees were examined in the enquiry.

14. So far as the charge No. 3 is concerned, it is alleged that the petitioner has mis-utilised the 5 over drafts and 3 D.I.Rs as he has made re-payments to the loan accounts. This finding is only on speculation. It is true that the loans were sanctioned as the petitioner had introduced the applicants. It is also to be noticed that the petitioner had taken care to see that the loans were repaid by the borrowers and that he has collected the amounts and repaid the same through demand drafts only to ensure the repayment. In this regard, it is relevant to refer to the very finding of the enquiry officer stating "therefore, it is clear applying the principles of preponderance of probability that the charged official must have himself mis-

utilised the loan amounts mentioned in the chargesheet"". The enquiry officer himself is not categorical in his finding as to whether the petitioner had

mis-utilised the loan amounts, except by saying that he must have mis-utilised which can be only by way of speculation.

15. So far as the charge No. 4. is: concerned, it is alleged that the petitioner had, purchased 9 demand drafts at Sivaganga between July 1996 and

October, 1996 favouring the Manager P. B. Division and SIB thereby indicating mis-utilisation of funds. The loan accounts of Bashyam and Ethiraj

were closed even prior to July 1996. The account of V. Vijayarani was closed on August 3, 1995. Hence question of remitting the amounts by

way of demand drafts in respect of these three -loan accounts does not arise. As the petitioner knew all those applicants and introduced them to

the Manager/Field Officers concerned for availing loans, his action to collect the amounts and settle the loan accounts must be appreciated and

such repayments would be only in the interest of the bank. Merely because he has collected the said amounts through the Government officials and

the members of the Lions Club and sent it to the bank by demand drafts, it cannot be held that he has mis-utilised the funds. Except the fact that

the petitioner had taken drafts and sent it to the bank, there is not other material to show that he has mis-utilised the funds. On the other hand, the

enquiry officer has again by drawing inference has held that since the petitioner has collected and repaid the loans, he should have mis-utilised the

loan proceeds and the findings as to the guilt of charge is not categorical. Such a finding on inference cannot be sustained.

16. In regard to the charge No. 5 namely, that the petitioner used his influence to facilitate his wife to avail 4 gold loans at concessional rate of

interest under agricultural segment at Tuticorin Bazaar Branch, SPIC Nagar Branch and Harbour Estate Branch without furnishing details of loan

holdings and false address, the statement of P.Ws 3, 6, 5 are referable. P. W. 3 one C. Shankar, who was the Branch Manager of Tuticorin

Bazaar Branch during the relevant period, in his statement has specifically stated that he did not know the borrower personally. He has also

deposed that one Sri Kandasamy, C & I Manager, Tuticorin Branch introduced the borrower. It appears that the said Kandasamy was working

under the petitioner. Except stating that the said Kandasamy introduced the borrower, P.W.3 has not stated anything about the petitioner exerting

influence on him through the said Kandasamy to sanction the Jewel loans to the wife of the petitioner. Likewise, P.W. 5 Veergin, who was the

Branch Manager of Tuticorin Harbour Estate Branch, also did not state anything about the petitioner exerting influence on him to sanction the loans

to the wife of the petitioner. On the basis of the above statements, the enquiry officer has found that as the said Kandasamy introduced the

borrower, and "it looks highly improbable that the charged official was having no knowledge about his wife availing the loans from three different

branches." This finding is only on presumption and probability. It must be also noted that even otherwise the borrower is entitled to pledge the

jewels and avail loan in a branch where her husband is not working. Merely because the loan was sanctioned, that will not lead to a conclusion that

the same was sanctioned only on the influence of the ; petitioner. In respect of the charge of influence there is absolutely no evidence. So far as the

furnishing of false address by the borrower to avail, the loan is concerned, again there is no evidence at all. The address given in the loan

application is referable to the address given in the document. Furnishing of such address cannot be faulted merely on the ground that the borrower

has not furnished the residence address where she and her husband lived together. In the absence of any material and any " statements as could be

seen from the evidence of P.Ws 3 and 5, the charge No. 5 cannot be said to be proved.

17. In regard to charge No. 6 namely, that the petitioner did not protect the interest of the bank by sanctioning the agricultural loan for Rs. 3 lakhs

to a guarantor in another loan who had defaulted, no witness has spoken to about the said charge. In the absence of any evidence the charge

cannot be said to have been proved.

18. Coming to the last charge, viz., the " petitioner had made a false claim in T. A. bill, dated March 31, 1998. According to the bank, when the

petitioner was transferred from Sivaganga to Chennai, he produced a receipt as if he has transported the household articles in a lorry bearing Regn.

No. TND-3346, whereas the receipt produced by him was issued by one Kumaresan Lorry Service. It is the case of the petitioner that when the

articles were booked with Kumaresan Lorry Service, they had in 1 turn arranged for transportation of the articles in the lorry bearing No. TND-

3346 belonging to some other person. However, the receipt was issued by Kumaresan Lorry Service as there was an understanding between them

and the owner of the lorry bearing Regn. No. TND-3346 and for that understanding the petitioner cannot be faulted with. To prove the said

charge, one T.V. Ranga Rao, Deputy Manager of Sivaganga branch was examined. 2 He had in fact deposed that Sri Kumaresan, s/o

Harichandran, had admitted that he issued the receipt. It appears that the said Kumaresan has also stated to him that ""it was the practice to issue

bills to accommodate other lorry owners while moving goods but do not have letterheads to issue such receipt"". On the face of the said statement,

there is nothing to indicate to sustain the charge that the petitioner had made a false claim. However, the enquiry officer has held the charge proved

on the ground that the said Kumaresan did not receive money. This finding is perverse, as when the said Kumaresan having accepted the issue of

receipt and also having stated that there was an arrangement with the other lorry owners for transporting goods, naturally the amount could be paid

only to the owner of the lorry by which the articles were transported and the receipt was issued by Kumaresan Lorry Service only in view of the

practice adopted by two lorry owners. There is absolutely no material to show that there was a false claim, when the fact remains that the

petitioner was transferred and he had to necessarily transport his articles from Sivaganga to Chennai. Hence, the said charge 5 cannot be said to

be proved.

19. In view of the above discussion, the following are the only conclusions that this Court could draw viz., that the enquiry officer has held charges

have been proved only on inference, surmises and presumption and such finding to come to the conclusion as to the charges are proved is perverse

and the order of dismissal on such findings, cannot be sustained.

20. Sri S. Jayaraman, learned counsel appearing for the bank would rely upon the judgment of the Supreme Court reported in Union Bank of India

Vs. Vishwa Mohan, to contend that in banking business absolute devotion, diligence and integrity need to be preserved by every bank-employee

and in particular by bank officer and if the same is not observed, confidence of depositors would be impaired. There cannot be any second opinion

on the above finding of the Supreme Court. However, as on the facts of this case,

I have held that charges have not been proved, the said judgment is distinguishable to the facts of the present case.

21. That apart, on facts it is held that though P.W.I, P.W3 and P.W. 4 are all officers who also had effective participation in the loan transaction, have been let out even without there being an enquiry. In *M. Raghavelu Vs. Govt. of A. P. and Anr.*, (1997) 10 SCC 779 while considering the exoneration of some of the officers but finding guilty of the petitioner therein, the Supreme Court has observed as follows:

The argument or the learned counsel for the appellant is that if the persons directly in charge of the construction work were found not guilty of the charge framed, the appellant who was indirectly in charge of the work, cannot be punished for similar charge levelled against him. We find force in the argument of the learned counsel for the appellant and we do not think that the argument of the learned counsel for the respondent that the enquiry officer in this particular case has gone into the merits and has given different finding should be accepted. As pointed out earlier, on the basis of the same set of evidence the officers who were directly in charge of the construction work were exonerated of the charge and we see no reason to pick out the appellant alone for finding him guilty of the charge

22. It is the contention of Sri N.G.R. Prasad, the learned counsel for the petitioner that material witnesses, viz., the officers who would be competent to speak as to whether the petitioner had influenced the officer for sanction of loan for his own benefit, were not examined and therefore, the findings are vitiated. In this regard, an usual reference can be made to the judgment of the Supreme Court in *Hardwari Lal Vs. State of U.P. and Others*, , the Supreme Court has held as follows at p 497 of LLJ:

3. Before us the sole ground urged is as to the non- observance of the principles of natural justice in not examining the complainant, Sri Virender Singh, and the witness, Jagdish Ram. The Tribunal as well as the High Court have brushed aside the grievance made by the appellant that the non-examination of those two persons has prejudiced his case. Examination of these two witnesses would have revealed as to whether the complaint made by Virender Singh was correct or not and to establish that he was the best person to speak to its veracity. So also, Jagdish Ram, who had accompanied the appellant to the hospital for medical examination, would have

been an important witness to prove the state or the condition of the appellant. We do not think the Tribunal and the High Court were justified in thinking that non-examination of these two persons could not be material. In these circumstances, we are of the view that the High Court and the Tribunal erred in not attaching importance to this contention of the appellant.

4. However, Sri Goyel the learned Additional Advocate- General, State of Uttar Pradesh, has submitted that there was other material which was sufficient to come to the conclusion one way or the other and he has taken us through the same. But while appreciating the evidence on record the impact of the testimony of the complainant cannot be visualised. Similarly, the evidence of Jagdish Ram would also bear upon the state of inebriation, if any, of the appellant.

23. In my opinion, the charges levelled, against the petitioner would, amount to only procedural lapses. When the proved charges would amount to procedural lapses, this Court could weigh the proportionality of the punishment. In similar circumstances, a Division Bench of this Court in the judgment reported in *M. Kasi v. Management of Indian Bank, Chennai and Anr.* 2001 II LLJ 617 (Mad-DB) has ordered only payment of last drawn salary and other monetary benefits in lieu of reinstatement. In fact, the Supreme Court in *Hardwari Lal case* (supra), has also taking into consideration of the fact of long lapse of time before the date of dismissal and reinstatement, directed to award 50 per cent of back wages being payable.

24. For the foregoing reasons, the impugned order of dismissal is set aside and the petitioner being the Chief Manager of a Branch, the action of the petitioner would amount to procedural lapses and, having regard to the fact that he has already attained the age of superannuation, I modify the punishment of dismissal from service as confirmed in the appeal and instead, the petitioner would be entitled to 50 per cent of back wages and all other full monetary benefits attached to the said post.

25. With the above modification, the writ petition is disposed of. No costs.

After pronouncing the order, Sri N.G.R. Prasad learned counsel appearing for the petitioner submitted that a time limit may be fixed for

implementation of the order.

2. Heard Sri S. Jayaraman, learned counsel appearing for fourth respondent also.

3. I have considered the submissions of either side. The respondents shall have two months time for implementing the order and the said time shall

be counted from the date of production of copy of this order.