(2014) 04 PAT CK 0081

In the Patna High Court

Case No : CWJC No. 3070 of 2014

Sheo Shankar Prasad Singh APPELLANT

Vs

State Bank of India and Others RESPONDENT

Date of Decision : 11-04-2014

Acts Referred:

Citation : (2015) 2 PLJR 49

Hon'ble Judges : Chakradhari Sharan Singh, J.

Bench : Single Bench

Advocate : Anirudh Kumar Sinha, for the Appellant; Rakesh Kumar Singh, for the Respondent

Final Decision : Dismissed

Judgement

Chakradhari Sharan Singh, J.?Heard learned counsel for the petitioner and learned counsel appearing on behalf of the Respondent-Bank. The petitioner seeks quashing of the order dated 26.10.2013 passed by the Chief General Manager-cum-Appellate Authority of the State Bank of India, Human Resources Department, Local Head Office, Patna whereby the petitioner''s appeal against the order dated 12.6.2013 passed by the General Manager-cum-Disciplinary Authority imposing punishment of dismissal from service has been rejected. The petitioner also challenges the order dated 12.6.2013 by which punishment of dismissal from service has been imposed upon him, after holding a disciplinary proceeding.

2. The petitioner at the relevant point of time was working as an Officer MMGS-II in the State Bank of India. For certain charges levelled against him, a disciplinary proceeding was initiated vide letter dated 22.1.2013 containing the allegation of gross misconduct.

3. As per the charges, he unauthorizedly debited Parking Account No. 30357875349 from 31.10.2009 to 25.5.2010 aggregating a sum of Rs. 4,98,800/- and proceeds thereof credited into his SB, PPF, RD and Loan

accounts. It was also alleged that he unauthorizedly debited BLG Account No. 98516078780 for Rs. 20,000/- and proceeds thereof credited into his loan account No. 30621861315.

4. There are other allegations also showing lack of integrity and sincerity in discharge of his official duty. The Enquiry Officer submitted his report on 9.5.2013 and found all the charges levelled against him as proved, including the charges noted above.

5. From the pleadings, it appears that the petitioner had admitted to have debited the amount as alleged in charge No. 1 into his SB A/C, loan account and PPF account in course of departmental enquiry. He, however, took a plea that he did it, in state of mental agony and depression. The Disciplinary Authority after considering the enquiry report issued second show-cause notice, seeking his representation on proposed punishment of dismissal from service.

6. The petitioner submitted his reply. The Disciplinary Authority agreeing with the report of the Enquiry Officer, seeing gravity of charges imposed punishment of dismissal from service upon the petitioner vide order dated 12.6.2013. The petitioner preferred an appeal, which has been dismissed by the order dated 26.10.2013 (communicated to him vide letter dated 5.11.2013) by the Disciplinary Authority. No plea of procedural irregularities in departmental has been raised by learned Counsel appearing on behalf of the petitioner in the disciplinary proceeding initiated against him, culminating into passing the order of punishment.

7. From the order of the Disciplinary Authority as well as the Appellate Authority, I find that the orders are well-reasoned and speaking and the materials available on records of the disciplinary proceeding as well as defence of the petitioner taken from time to time have been taken into account by them.

8. Learned counsel for the petitioner submits that the punishment imposed is shockingly disproportionate to the charge levelled against him. This submission cannot be accepted seeing the nature of allegation made against him as contained in the charge-sheet. The charges are of very serious nature, more so while evaluating conduct of a Bank employee, dealing with financial transactions.

9. I do not find any reason to interfere with the impugned orders. This application is dismissed. No orders as to costs.