(2011) 03 AHC CK 0045

In the Allahabad High Court

Case No : Civil Miscellaneous Writ Petition No. 43538 of 2009

Sunil Kumar Srivastava APPELLANT

Vs

Union of India (UOI) and Others RESPONDENT

Date of Decision : 18-03-2011

Acts Referred:

Constitution of India, 1950 — Article 226
Sindicate Bank Officers Employees (Conduct) Regulations, 1976 — Regulation 17, 24, 6

Citation : (2011) 4 ADJ 324 : (2011) 130 FLR 625 : (2011) LLR 1036

Hon'ble Judges : Sunil Ambwani, J;Jayashree Tiwari, J

Bench : Division Bench

Final Decision : Dismissed

Judgement

1. By the Court.-We have heard Shri Ashok Khare, Sr. Advocate assisted by Shri Siddharth Khare for the Petitioner. Shri Sanjeev Singh appears for the Respondent-bank.

2. By this writ petition the Petitioner has prayed for quashing the order dated 20.3.2009 passed by the Deputy General Manager (Personnel), Syndicate Bank, Industrial Relation Division, Manipal by which he was removed from service of the bank in breach of Regulation No. 3 (1) read with Regulation 24 of the Sindicate Bank Officers Employees (Conduct) Regulation, 1976 and the order dated 17.6.2009 passed by the General Manager (Personnel)/Appellate Authority, Syndicate Bank, Industrial Relation Division, Manipal by which the appeal preferred by him was disposed of confirming the penalty of removal from service of the bank with immediate effect.

3. The Petitioner was serving as Asstt. Manager, Kotvan Branch, Mathura. He was issued charge-sheet dated 8.6.2007 for major penalty proceedings vide Regulation 6 of the Syndicate Bank Officers Employees (Discipline of Appeal) Regulation, 1976 (in short the Regulations), for the reasons amongst other things that while he was working as Branch Manager at Nowgaon Branch during

the period 12.5.2004 to 30.5.2005, he abused his official position in extending the tractor loan and SKCC limits to certain parties in violation of bank loaning norms without proper pre-sanction appraisal of the credit proposals; without ensuring end utilisation of the loan proceeds; without proper post sanction follow up and controls and thereby unduly accommodating the parties. He also committed various irregularities exposing the bank funds to the risk of the loss. A corrigendum was issued on 28.1.2008. The statement of imputation of misconduct gives the details of the various irregularities committed by him.

4. The Petitioner submitted his written statement of defence dated 18.8.2007. Shri R.M. Arora, Senior Manager, Nodal Industrial Relation Cell, Regional Office, Meerut was appointed as enquiry officer. The enquiry was conducted between 31.12.2007 to 24.10.2008. The enquiry report was submitted on 20.12.2008. It was served upon the Petitioner by the Assistant General Manager (Personnel) vide his communicated dated 27.1.2009.

5. The Petitioner submitted a detailed objection dated 18.2.2009 before the Asstt. General Manager (Personnel). The Deputy General Manager (Personnel) passed an order of removal of service with immediate effect on 20.3.2009. The Petitioner''s appeal under Regulation 17 of the Regulations was disposed of confirming the punishment order on 17.6.2009.

6. Shri Ashok Khare, learned Counsel for the Petitioner submits that prior to the issuance of the charge-sheet the Vigilance Establishment at New Delhi had interrogated the Petitioner with regard to certain loans of the period, when he was posted at Nowgaon. During the course of the vigilance enquiry the statements of Shri Ramesh Chandra @ Amit Kumar and Shri Bharat Singh @ Bharatoo were recorded. The Vigilance Officer alongwith the successor in the office of the Petitioner visited M/s Radhika Tractors on 25.1.2006 and submitted a joint report dated 25.1.2006. The Vigilance Officer conducted the entire proceedings ex parte without any notice to the Petitioner in his absence.

7. After vigilance enquiry was concluded and the report was submitted, the Asstt. General Manager (Personnel) issued notice dated 29.9.2006 calling upon the Petitioner to submit his reply with regard to allegations mentioned therein. The Petitioner had submitted a detailed reply on 27.11.2007, denying the allegations. It was, thereafter, the charge-sheet was issued and the departmental enquiry ensued.

8. Shri Ashok Khare submits that in substance charges related to (i) the Petitioner having committed irregularities in sanctioning tractor loan and SKCC limit to one Shri Lala Ram and (ii) irregularities committed by the Petitioner in sanctioning and releasing 32 loans against security of tractor/ and tractor and accessories, and collateral security of agricultural loan, as also alleged irregularity in sanctioning SKCC limit in favour of 4 persons. The bank relied upon 884 documents, a list of which was supplied to the Petitioner on 8.6.2007. The bank, however, examined only one witness namely Shri S. Murali Aiyer, the

Manager RO New Delhi in proof of the charges. Shri Murali Aiyer was vigilance officer, who had conducted the vigilance enquiry against the Petitioner and had submitted his report. He was not officer posted at the concerned branch nor had any knowledge of the facts and the documents. No other evidence was examined and there was no corroborating evidence to prove the charges.

9. Shri Khare submits that Charge No. 1 relates to advance sanction to one Shri Lala Ram towards a tractor loan as also loan advance under Syndicate Kisan Credit Card (SKCC). The tractor loan of Rs. 3,80,000/- was sanctioned to Lala Ram on 25.1.2005 by demand draft in favour of M/s Radhika Tractors, Sonkh Road, Mathura, the authorised dealer of ''Balwan'' tractors on the basis of quotation given by the firm vide invoice dated 25.1.2005. M/s Radhika Tractors confirmed the delivery of vehicle, which was also ensured by the United India Assurance Company. The loan was secured by executing mortgage of agricultural land owned by Lala Ram. All the papers were forwarded and were verified by panel lawyer Shri Arun Kumar Bhargava. A copy of the mortgage deed was also sent for verification to Sub-Registrar as also the Tehsildar and that 15 days after sanction of the loan an amount of Rs. 40,000/- was further sanctioned to Shri Lala Ram under SKCC on 4.2.2005. Subsequently it transpired that someone had impersonated as Lala Ram. As soon as the impersonation was detected, the Petitioner had contacted the dealer and insisted upon the amount of loan to be made good by the dealer. The entire loan amount and the loan under SKCC with interest was refunded by M/s Radhika Tractor to the bank on 1.3.2005. The bank did not suffer any pecuniary loss in the transaction.

10. It is submitted that Lala Ram was introduced by one Shri Bharat Singh @ Bhartoo, customer of the bank for last 15 years. During the course of departmental enquiry neither Ramesh Chandra @ Amit Kumar, nor Bharat Singh @ Bhartoo nor the proprietor of Radhika Tractors was produced nor their statements were recorded. The entire transaction alleged to be irregular and against the bank norms was proved only by Shri S. Murli Aiyer, the vigilance officer, who had conducted the vigilance enquiry.

11. Shri Ashok Khare further submits that receipt was issued by M/s Radhika Tractors on 25.1.2005 with regard to advance made by Shri Lala Ram of Rs. 30,000/- in cash for purchase of tractors and that residence proof of Shri Lala Ram was issued by the Pradhan, Gram Panchayat Sehi. As soon as the impersonation of Lala Ram was detected, a report was submitted to the District Manager, Mathura on 25.2.2005 and thereafter within one month the entire amount was refunded with interest by M/s Radhika Tractors and account was closed. The mortgage executed with the bank was duly recorded in the revenue records in Khatauni of 1409-1414F.

12. Shri Ashok Khare submits that the vigilance enquiry report was not supplied to the Petitioner. The Petitioner demanded a copy of the vigilance enquiry report on which it is observed in the enquiry proceedings held on 12.6.2008 as follows:

As regard the request of the defense to provide the copy of the investigation report, it is submitted that the charge sheet is issued to the CSOE based on the document collected by the investigating officer who has been produced before the enquiry forum as management witness and is very well available for cross-examination by the defense as such the request of the defense to provide copy of the investigation report is not justified and may not be acceded to.

13. It is submitted by Shri Khare that ail the loans and details for purchase of tractor/trolley referred to in the charge-sheet and in the enquiry proceedings were supported by requisite invoices, receipts, delivery confirmation reports, insurance papers and registration certificates of the Road Tax Department of the State. The documents submitted for mortgage were verified by the lawyers of the bank after carrying out due diligence. The copies of the mortgage deeds in each case was duly supplied to the Sub-Registrar and Tehsil office and duly countersigned mortgage deeds from the office of the Sub Registrar is available on the record. The Petitioner was cautious in obtaining second search report also through lawyer for confirming the existence of mortgage in respect of each loan transactions. Shri M.D. Gautam, Advocate and other panel lawyers conducted the second search report. In the cases, where loans were not paid, the Respondent bank has obtained reimbursement from Government of India towards outstanding amount under the Debt Waiver/ Relief Scheme, 2008.

14. It is submitted that the policies were not produced during the course of departmental enquiry. The statements of witnesses were recorded by the Vigilance Officer. The report of the Vigilance Officer was not given to the Petitioner.

15. So far as sanction of 4 loans under the Syndicate Kisan Credit Card Scheme, it is submitted by Shri Ashok Khare that the charge was not proved by the enquiry officer. There is absolutely no finding that any fraud was played and that bank suffered any loss. All the findings including the findings recorded in respect of loan advance to Shri Lala Ram relate to irregularities committed by the Petitioner in following the banking norms, which were not proved. The 32 loan transactions referred to in Para-II of the Enquiry Officer''s report were alleged to be loan sanctioned and released without bringing on record the information like present annual income; existing direct and indirect liabilities; net worth of the applicant; details of assets and liabilities and the net worth of the proposed guarantor. It was alleged that most of the loans were released on the date of receipt of the application without placing on record duplicate switch key; pre-sanction inspection report and second search report; bills and invoices were not placed on record that tractor purchased was normally tied up arrangement or in deviation of the guidelines in respect of land holding of the borrower. In some cases exchange of tractors were produced without placing on record any request from the borrower and that in some cases such as mentioned at Sl. Nos. 2, 13, 15, 23 and 32 the engine numbers and chassis numbers did not tally. In some cases the end utilisation was not confirmed and in some more, there was

sanction for purchase of tractor but the loan was released without ensuring purchase of implements. In respect of some of the loans, the bank did not know the charge on the bank records. In respect of loan transaction Nos. 7, 23 and 31 guarantee bond was executed without naming the borrower or guarantor. The insurance policies were placed on record with endorsement about change of engine and chassis number without recording request of the borrower. The name of the guarantor in respect of loan at Sl. No. 25 was one Shri Chandan, whereas loan was released in favour of Damodar. The loan No. 32 was sanctioned to close earlier loan of the borrower with SBI Chatta. The borrower was blind person. Shri Khare submits that the documents relating to these charges were not proved by producing any witness and since the report of the vigilance officer was not supplied, the Petitioner did not get adequate opportunity to defend himself. The deposition of the Petitioner that he had increased business of rural loans of the branch of the bank from Rs. 4 crores, when he joined, to Rs. 9.5 crores inspite of shortage of staff, and the appreciation of his performance was not considered by the enquiry officer.

16. Shri Sanjeev Singh, learned Counsel appearing for the Syndicate Bank submits that the charged officer committed serious irregularities and was charged in disbursing loans. He had failed to discharge the duties with utmost integrity, honesty, devotion and diligence. He acted in a manner unbecoming of an officer of the bank by abusing his official position as Branch Manager of Naogaon Branch between 12.5.2004 to 30.5.2005. He failed to take all possible steps at all times to ensure and protect the interest of the bank. He abused the official position in sanctioning accommodative loans to various parties. The Petitioner was served with charge-sheet and was given all the copies of the documents relied upon by the enquiry officer. He had participated in the enquiry proceedings alongwith defence assistant and had cross-examined the management witness. All the charges were proved and that the Petitioner''s reply was not found sufficiently explaining his conduct The Petitioner was found to have committed gross violation of the guidelines issued by the bank involving advancing loan against forged/fabricated documents, placing on record incorrect reports and exposing bank to financial loss. His defence to the enquiry officer''s report was considered before the decision was taken to punish him and that his appeal received due consideration from the Appellant authority. A detailed reasoned order has been passed confirming the removal order.

17. Shri Sanjeev Singh has relied upon Disciplinary Authority-cum-Regional Manager and Ors. v. Nikunja Bihari Patnaik 1996 SCC 1194; Tara Chand Vyas v. Chairman & Disciplinary Authority and Ors. 1997 SCC 1241 and State Bank of India and Anr. v. Bela Bagchi and Ors. 2005 SCC 940. All these cases relate to departmental enquiries on the misconduct of the bank employee. Shri Sanjeev Singh submits that in Bela Bagchi (Supra) it was held that the bank employee has to exercise a highest degree of honesty and integrity. If money received by the employee from account holder is not deposited and fraudulent or fictitious credit entry is made, the charge could not be taken as casual but serious in

nature. In Tara Chand Vyas (Supra) the Supreme Court cautioned that disciplinary measures should aim at eradicating corruption. The nationalist banks are the prime source and pillars for establishment of socioeconomic justice for weaker sections. The employees and officers working in the bank are not merely trustees of the society but also bear responsibility and owe duty to the society to effectuate socio economic empowerment It is necessary to consider the need for disciplinary action to eradicate corruption to properly channalise the use of public funds. Where the Bank Manager is charged with releasing loans without adequately safeguarding the interest of the bank, his objection that the enquiry was vitiated because no witness was examined to prove the documents and the charge was not sustainable.

18. Shri Sanjeev Singh submits that in Tara Chand Vyas (Supra) the Petitioner as Branch Manager in Gramin Bank (rural bank) derelicted in performance of duties in making payment of loans without ensuring supply of implements to the loanees and deposit of adequate security from dealers, as consequence to which the bank was put to loss. The enquiry officer found that all 14 charges were proved on which he was dismissed from service. The High Court dismissed the writ petition. The Supreme Court did not agree with the arguments that since none of the witnesses were examined nor any opportunity was given to cross-examine them after the Petitioner disputed his liability, the enquiry was vitiated by manifest error apparent on record. It was observed by the Supreme Court:

The thrust of the imputation of charges was that he had not discharged his duty as a responsible officer to safeguard the interest of the Bank by securing adequate security before the grant of the loans to the dealers, and had not ensured supply of goods to the loanees. it is based upon the documentary evidence which has already been part of the record and copies thereof had been supplied to the Petitioner. Under those circumstance, we do not think that there is any manifest error apparent on the fact of the record warranting interference. It is then contended that no reasons have been given in support of the conclusions to substantiate the charges. The enquiry officer had elaborately discussed each charge and given reasons which were considered by the disciplinary authority and reached the conclusion that the charges were proved. So had the appellate authority. They are not like a civil Court.

19. In Bela Bagchi''s case (Supra) the Supreme Court observed that the bank employee has to exercise a higher degree of honesty and integrity. He deals with the money of the depositors and customers. However, the officer/ employee of the bank is required to take all possible steps to protect the interest of the bank and to discharge his duties with utmost integrity, honesty, devotion and diligence and to do nothing, which is unbecoming of a bank officer. The good conduct and discipline are inseparable from the functioning of every officer/ employee of the bank. The very discipline of an organisation more particularly a bank depends upon each of its officers and officials acting and operating within their allotted spheres. Acting beyond one''s authority is by itself a breach of discipline and is a

misconduct The Supreme Court held; the charges against the employee were not casual in nature and were serious. That being so, the plea about absence of loss is also without substance.

20. We may now look into the judgments cited by Shri Ashok Khare:

(i) In Union of India (UOI) Vs. Sardar Bahadur, , the Supreme Court held that statement of witness examined in criminal trial can be admitted in evidence in departmental enquiry. A finding cannot be characterised as perverse or unsupported by any relevant materials, if it is reasonable inference from the proved facts. A disciplinary proceedings is not a criminal trial. The standard of proof required is that of ''preponderance of probability'', and not ''proved beyond reasonable doubt''. Where there are some relevant materials, which reasonably support the conclusion that the officer is guilty, it is not function of the Court under Article 226 to arrive at independent findings at the materials. If enquiry has been properly held the question of adequacy or reliability of evidence cannot be canvassed before the High Court.

(ii) In State Bank of India and others Vs. D.C. Aggarwal and another, Mr. Justice R.M. Sahai, J. held that where the punishment is imposed on material neither supplied nor disclosed, nor the report of the Central Vigilance Commission based on which punishment was imposed was supplied, the conclusions by the enquiry officer cannot be sustained. The Supreme Court held that the bank had turned down the request of the Respondents for a copy of CVC recommendation as the correspondence with CVC was treated to be a privileged communication and cannot be forwarded as the order passed by the appointing authority. The disciplinary authority recorded its own findings and coincidental reasoning and basis of returning the findings of guilt are the same as in CVC report, it being a material obtained behind back of the Respondents without his knowledge or supplying copy to him, the High Court did not commit any error in quashing the same.

(iii) In Ministry of Finance and Another Vs. S.B. Ramesh, the Supreme Court in a case of an officer, who had contracted second marriage while his first wife was alive held that enquiry officer as well as the disciplinary authority freely made use of the submission made by Smt. K.R. Aruna in the presence of SW-1 and it was that basis that they had reached the conclusion that the applicant was living with Smt. K.R. Karuna and that the delinquent officer had fathered two children from her. It was held that the statement recorded behind the back of a person can be used against him in proceedings until person, who is said to have made that statement is made available for cross-examination to prove his/ her veracity.

(iv) In Kuldeep Singh Vs. The Commissioner of Police and Others, the Supreme Court considering the question of reasonable opportunity in departmental enquiry and scope of judicial review held that the Court can interfere if the findings are based on no evidence or is such as could be reached by an ordinary prudent man or is perverse or is made at the dictates of supervisors. Previous statements were found to be not the logical statement but the statement recorded by the then S.H.O. on receiving original statement of the complainant. The non-production of the witness was the fault of the department The enquiry officer was biased in favour of the department and found delinquent guilty in so arbitrary manner, which showed that he was carrying out command of superior officers. The Court can interfere, where the examination of witness and recording of evidence is arbitrary and the findings are perverse.

(v) In Roop Singh Negi Vs. Punjab National Bank and Others, , the Appellant had confessed to police that he was involved in stealing of bank draft book. The confession was not found sufficient The Supreme Court held that some evidence ought to have been brought on record that the Appellant was involved in stealing the purported evidence collected during investigation by the Investigation Officer against the accused, by itself could not be treated to be evidence in disciplinary proceedings. When no witness was examined to prove the document the management witness should merely tender the documents and did not prove content thereof could not be relied upon to establish the charges. The Appellant was the employee of the bank. His confession should have been proved. Some evidence should have been brought on record to show that he had indulged in stealing bank draft book. There was no direct evidence to prove the charges.

21. In the present case the Petitioner was not associated with vigilance enquiry. The documents collected by the Vigilance Officer and the statement of witnesses were given to the Petitioner but that those witnesses were not examined in departmental enquiry nor the Petitioner was given an opportunity to cross-examine them. The statement of imputation of misconduct related to abuse of official position as Branch Manager between 12.5.2004 to 30.5.2005 in extending tractor loans and SKCC limit to certain parties in violation of bank loan norms without pre-sanction appraisal of credit proposals without ensuring end utilisation of loan proceeds, without proper post sanction follow up and thereafter unduly accommodating parties concerned. In the process it was alleged that he committed various other irregularities and exposed bank''s huge funds to the risk of loss. There is no finding that the bank had actually suffered loss in any of the transactions referred to in the imputation of misconduct All the allegations in substance relate to violation of bank lending norms.

22. In the matter of sanction of limit to Shri Lata Ram, it is alleged that the fictitious account was opened in the name of Lala Ram son of Bhullan. The Petitioner established in the departmental enquiry that someone had impersonated as Lala Ram. He was, however, properly introduced and had deposited Rs. 30,000/- with the dealer. The sanction of loan followed pre-verification by bank lawyer of the agricultural holding. The mortgage was duly recorded with the Sub-Registrar after verification of the land records and the residence proof by Tehsildar. The person, who introduced and stood guarantor had an account in the bank for 15 years. The registration papers and insurance policy was placed on record and thereafter SKCC loan of Rs. 40,000/- was

issued. As soon as impersonation came to the notice of the Petitioner, he approached the dealer and that entire amount was returned to the bank with interest. There is no finding that the Petitioner was aware of impersonation and was party to the fraud. An old account holder had introduced Mr. Lala Ram, the due diligence was carried out by lawyer and that mortgage was duly recorded. In fact fraud was played upon the Petitioner and as soon as it was detected, the dealer having realised the fraud deposited the entire amount. SKCC loan amount was also deposited. The bank did not suffer any loss.

23. In the mater of grant of tractor loan to 32 parties and SKCC limit a large number of irregularities were observed. After analysis of the evidence, which included the documents and the statement of management witnesses and the defence the enquiry officer found that the borrowers confirmed in writing that earlier they had returned tractor or not purchased at all; borrower Shri Bhura and Abdul Salem (FL/TL31/04) have reported vide MEX-133 that they have returned the tractor within 2/3 days; Shri Vijay Singh (FL/TL33/04) has reported vide MEX 154; Shri Bijendra Singh (FL/TL41/04 vide MEX-210; Shri Ram Swaroop and Ghanshyam (FL/TL45/04) vide MEX-255; Shri Tulla & Shyam Singh (FL/TL57/04) vide MEX-320; Shri Lohre, Amar Singh & Shanker (FL/TL58/04) vide MEX-337 &338; Shri Daya Singh (FL/TL73/04) vide MEX-418; Shri Puran & Shyam Babu (FL/TL03/05) vide MEX 476; Shri Suresh (FL/TL04/05) vide MEX-494; Shri Mansho (FL/TL 19/ 05) vide MEX-546; Shri Balbir & Fatte (FL/TL23/05) vide MEX-561 and Shri Soran (FL/TL37/05) vide MEX-578 that they had not purchased the tractors. False reports were submitted by the Petitioner confirming end utilisation without inspecting assets created out of loan proceeds to avoid detection of non-creation of assets. The enquiry officer on the defence submitted by the Petitioner observed as follows:

I observe from the above that there are umpteen number of cases where the borrowers have stated themselves that they did not get the tractor, instead got cash in less amount. Therefore, there is no reason to disbelieve all of them. Had there been a single case, the complaint/ statement in this regard could have been false. CSOE''s contention that Vigilance Officer had malafide intention is not tenable as he has not mentioned any reasons which goes to show mala fide intention of investigating Officer against CSOE. Although CSOE has contented that he made specific releases, called the tractors to the branch for inspection, submitted AFD-7 as there were bills/ invoices, ASD-13, Insurance Policy and RC. From this, it looks like that CSOE wanted to complete the paper formalities to avoid detection of his collusion with tractor dealers/ agents as the borrowers have submitted that tractors were either sold/ returned or not purchased.

On the basis of oral, documentary and circumstantial evidence I am inclined to believe that CSOE sanctioned and released above loans but did not ensure their end utilization.

24. On the next charge (irregularity No. 2) atleast 7 borrowers confirmed in writing that they had purchased the tractor but not purchase the implements.

There was no reason to disbelieve them. The release through demand draft by itself did not establish that implements were actually purchased, as borrowers had verified that tractors were purchased but no implements were purchased.

25. Similarly Irregularity Nos. 9 to 16 for sanction of loan without bringing on record information like present annual income, existing direct or indirect liabilities, net worth of the applicant etc; exchange of tractors without placing on record any request from borrowers and bills/ invoices from the original purchasers, noting of different engine number, chassis number on invoices and the insurance cover note, the discrepancy in the names of the guarantors, release of loan for purchase of trolleys, when borrower did not have tractors, placing on record forged/fabricated land records, such as record of Shri Vijay Singh, where land holding is taken as 4.811 hects., where the correct measurement was only 0.441 hects and in respect of Suresh where extent of land at RO account 283/1 has been increased from 0.809 to 1.809 hects and tractors were financed outside tied up area without obtaining any permission, demonstrates that the Petitioner was negligent in sanctioning and releasing the loans. The charge that many borrowers such as Chandan Singh, Daulat Ram, Raghunath had received much lesser amount against sanctioned amount and their statements in writing that they had parted with large amount for the Branch Manager through the agent, established charges against him.

26. The denial of Vigilance Officer''s report did not prejudice the Petitioner as all the documents supporting the charges and imputation of misconduct were supplied and that Vigilance Officer appeared and was examined in the presence of the Petitioner, who also had an opportunity and had cross-examined him. The Petitioner did not take any defence that documents produced, forming basis of the charge were not proved or that the documents were not true and correct copies of the original records.

27. The Petitioner was given full and adequate opportunity to defend himself in the departmental enquiry.

28. The bank may have been reimbursed for any loss caused to it, on account of negligence of the Petitioner by the Insurance Company, but that cannot be a ground on which the negligence causing the loss to the bank, can be defended. The argument that the bank has been compensated by the insuring bankers cannot be accepted as a defence by an employee of the bank to the charge of negligence causing such loss. The disciplinary authority considered Petitioner''s objections to the enquiry officer''s report. The appellate authority also considered once again in meticulous details the imputation of the allegations, the defence of the Petitioner and the findings recorded by the enquiry officer and the disciplinary authority and confirmed the punishment.

29. We do not find that the Petitioner has made out any good case to interfere with the findings recorded by the enquiry officer accepted by the disciplinary authority and the Appellant authority.

30. The writ petition is dismissed.

