

MHKO170010502019



Cri.M.A.No. 84/2019
Vasant Abaso Gaikwad
Vs.
Prakash Vasant Gaikwad

ORDER BELOW EXH - 01
(Passed On This 10th of January, 2022)

As per order dt.08.12.2021 on application Exh.11, filed by petitioner, salary-slip of respondent was called from The Kodoli Urban Co-Operative Bank Ltd. Kodoli, branch Bambawade (herein referred as the bank supra). After receipt of notice, the branch manager of the bank supra filed an application dated 06.01.2022 alongwith salary-slip of respondent. On perusal of this application, it prima-facie appeared that, the manager has intentionally exceeded his jurisdiction for the benefit of respondent here, who appears to be an employee in the bank supra. Even though only salary-slip of respondent was called, still, the branch manager unnecessarily and in order to favour respondent has mentioned some aspects pertaining to application for loan by respondent and disbursement of the loan. It is mentioned in the above letter that, from January-2022, Rs.9,000/- will be deducted from the salary of respondent. This information was utterly not necessary and it is intentionally mentioned only for the purpose of favouring of respondent. This Court had never demanded any information from the branch manager about any loan or likely future deductions from the salary of respondent. Therefore, a show-cause notice was issued to branch manager of the bank supra. Today, the branch manager filed the reply, which is absolutely not satisfactory. Reply also says that, after passing of order of this Court on 08.12.2021, respondent filed application for obtaining loan 13.12.2021 and this loan came to be disbursed on 05.01.2022. Again same thing is done by the branch manager that, he is trying to bring

unnecessary facts on the record of the Court, obviously to favour the respondent. It prima-facie shows that an intentionally hide and seek game is being played by the branch manager with the Court and all this is done, just to favour respondent who has proceeded without say and without evidence. Why the branch manager is again and again reiterating the same facts on record is seriously surprising. Why he wants to favour respondent and act on his behalf, especially when the Court has only asked him to file the salary-slip of respondent. Who asked the branch manager to advocate the side of respondent and why he did so and is still doing it. This is not at all expected of the branch manager, especially when the matter is pending before a Court and only a requisite information in regard to producing salary-slip was sought. This is serious misconduct on the part of the branch manager for which he must face consequences in departmental action. Issue letter to The Head of The Kodoli Urban Co-op. Bank Ltd. Kodoli for taking action against the branch manager within 30 days. The action so taken shall be communicated to this Court within 30 days from today, failing which, further order against concern erring officer will be passed. **The Head of The Kodoli Urban Co-op. Bank Ltd. Kodoli shall acknowledge the receipt of this order.**

Panhala.
Date 10.01.2022

Sd/-
(**Ritesh R. Mawatwal**)
Judicial Magistrate First Class,
Court No.01, Panhala, District Kolhapur.

-: CERTIFICATE :-

I affirm that the contents of the P.D.F. file order/Judgment are same, word to word, as per the original Order/Judgment.

Name of the Stenographer	Shri. G.S. Shinge
Name of Court	Shri. Ritesh R. Mawatwal CJJD & JMFC Panhala
Date of Dictation	10.01.2022
Order signed by the P.O. on	11.01.2022
Order uploaded on	11.01.2022