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

+ LPA 549/2024, CM APPL. 37441/2024

UNITED COMMERCIAL BANK & ORS.Appellants

Through: Mr. Sarfaraz Khan, Adv.

versus

VISHAMBHAR NATH

.....Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

ORDER

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10.12.2024

LPA 549/2024 & CM APPL. 37441/2024 [stay]

1. Mr. Sarfaraz Khan, learned Counsel for the appellants, challenges the impugned judgment of the learned Single Judge on the ground that the learned Single Judge has erroneously invoked Regulation 15(1) of the UCO Bank Officers Employees' (Discipline & Appeal) Regulations, 1976, which applies only in the case of disciplinary proceedings. He submits that in fact the respondent was not exonerated in the disciplinary proceedings but was imposed a penalty which he has undergone.

2. Insofar as acquittal in the criminal proceedings is concerned, Mr. Khan's contention is that the provision which would apply, insofar as counting of the period of suspension is concerned, would be Regulation 15(2) and not Regulation 15(1).



3. Having examined the Regulations, the matter requires consideration.

4. Accordingly, issue notice. Notice be served on the respondent additionally *dasti* as well as through learned Counsel, who appeared on behalf of the respondent before the learned Single Judge.

5. As the issue in controversy is very limited, both sides are directed to place on record brief written submissions not exceeding four pages each after exchanging copies with each other at least a week in advance of the next date of hearing.

6. List for disposal on 15 April 2025.

7. In the meanwhile, the operation of the impugned judgment of the learned Single Judge shall remain stayed.

C. HARI SHANKAR, J.

ANOOP KUMAR MENDIRATTA, J.

DECEMBER 10, 2024/R

[Click here to check corrigendum, if any](#)