

Court No. - 7

Case :- WRIT - A No. - 1759 of 2019

Petitioner :- Ram Naresh

Respondent :- Allahabad Bank Having Its Head Office, And 3 Others

Counsel for Petitioner :- Amit Kumar Singh, Ashok Khare, Sr.
Advocate, Ashwani Kumar Mishra

Counsel for Respondent :- Pashupati Nath Tripathi, Ashok Trivedi

Hon'ble Saumitra Dayal Singh, J.

1. Learned Senior Counsel for the petitioner submit that no adverse inference may have been drawn solely on the basis of the ex parte opinion of the hand-writing expert without offering such expert to cross-examination. Also, it has been emphasized that in view of the fact that the photograph of the petitioner was available on admit card and the same would have been compared to establish the identity of the examinee as also the thumb-impression, the presumption drawn of impersonation in the written examination is perverse.
2. Shri P.N. Tripathi, learned counsel for respondent nos. 1 to 3 and Shri Ashok Trivedi, learned counsel for respondent no.4 have raised a preliminary objection as to maintainability of the writ petition in light of alternative remedy of industrial dispute being available to the petitioner.
3. Subject to the objection so raised, respondents may file their counter affidavit within a period of four weeks from today. The petitioner shall have two weeks thereafter to file rejoinder affidavit.
4. List on 28.03.2019.

Order Date :- 5.2.2019

AHA