

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).4770/2006

(From the final judgement and order dated 28/11/2005 in OJC No. 4838/2002 of
The HIGH COURT OF ORISSA AT CUTTACK)

MADHUSUDAN DIKSHIT

Petitioner(s)

VERSUS

UCO BANK & ORS.

Respondent(s)

(With appln(s) for permission to place addl. documents on record and prayer for
interim relief and office report))

Date: 27/11/2006 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.P. SINGH

HON'BLE MR. JUSTICE TARUN CHATTERJEE

For Petitioner(s)

Mr. M.R.Calla, Sr.Adv.

Mr. Mukul Kumar, Adv.

Mr. P.D. Sharma, Adv.

For Respondent(s)

Mr. Bishwajeet Bhattacharya, Adv.

Mr. Sudarshan Rajan, Adv.

Mr. Sonal Joshi, Adv.

Mr. S.Saif Mehmood, Adv.

Mr. P. Narasimhan, Adv.

UPON hearing counsel the Court made the following

O R D E R

Special Leave granted.

The appeal is disposed of in terms of the signed order.

(Sukhbir Paul Kaur)

(Vijay Dhawan)

Court Master

Court Master

(Signed Order is placed on the file)

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.5227 OF 2006
(Arising out of SLP(C) No.4770 OF 2006)

MADHUSUDAN DIKSHIT

...Appellant(s)

Versus

UCO BANK & ORS.

...Respondent(s)

O R D E R

We have heard counsel for the parties.

Special Leave granted.

The High Court has disposed of the Writ Petition finding that

the punishment inflicted was not shockingly disproportionate to the

charge levelled and hence no interference was called for. We also notice

that the matter was disposed of on a day on which the Counsel for
or the

parties did not participate in the proceeding due to cessation of work by

the High Court Bar Association. What has been argued before us is that

the inquiry report was not supplied to the appellant. Counsel for
r the

respondent also does not dispute

this factual assertion and therefore, the Writ Petition has to be

considered in the light of this fact as well.

We, therefore, set aside the order of the High Court and remit

the matter to the High Court to dispose it of afresh in accordance with
h

law.

Since the promotion of the appellant has been withheld on

account of the punishment inflicted, we request the High Court to dispose

of the matter as soon as possible.

The appeal is accordingly, disposed of.

.....J.

(B.P.SINGH)

.....J.

(TARUN CHATTERJEE)

New Delhi,

November 27, 2006.