

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION  
CIVIL APPEAL NO. 4967 OF 2007

DURYODHAN TANTIL

.... APPELLANT

Versus

PUNJAB NATIONAL BANK & OTHERS  
RESPONDENTS

....

ORDER

1. This is an appeal filed by the appellant against whom departmental proceedings were held on the allegations that he had issued three bank guarantees without obtaining applications from the applicants without charging any commission and security money and without maintaining any corresponding entries in the books of accounts of the bank.

2. During the pendency of departmental proceedings, fourteen documents were presented including the three bank guarantees and the opinion of the handwritten experts was also obtained suggesting that there was a similarity between the handwriting of the appellant and the signatures on the aforesaid bank guarantees.

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3. Ultimately, in the departmental proceedings, the appellant was found guilty of mis-conduct. He, therefore, filed an appeal before the Appellate Authority - General Manager (HRD), Punjab National Bank, New Delhi against the order of punishment which failed and then proceeded to file a Review Petition. That also failed. Thereafter, the appellant filed a Writ Petition before the High Court of Jharkhand praying for quashing of the

dismissal order and proceedings and reinstatement with consequential benefits which was also dismissed and so also was the Letters Patent Appeal filed by him.

4. At this juncture, Mr. Shiv Pandey, learned counsel appearing for the appellant urges that in the departmental proceedings, the aforementioned three bank guarantees were not shown to the delinquent officer. We refuse to believe this submission in view of the clear cut finding recorded by the inquiry officer. The findings have been affirmed by all the authorities thereafter.

5. Mr. Pandey then submits that considering the fact that it is a question of the livelihood of the appellant, he should be dealt with leniently and should not be dismissed as has been done by the bank.

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6. We are unable to agree with the same. If the appellant played with the records of the bank and created some suspicious bank guarantees which fact has been proved, we do not think the appellant would deserve any sympathy by this Court. This appeal has no merits which is, accordingly, dismissed. No costs.

.....J.  
[ V.S. SIRPURKAR ]

.....J.  
[ DEEPAK VERMA ]

NEW DELHI  
AUGUST 12, 2009.

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ITEM NO.102                      COURT NO.10                      SECTION XVII

DURYODHAN TANTIL

Appellant (s)

VERSUS

PUNJAB NATIONAL BANK & ORS

Respondent(s)

(With appln(s) for permission to file rejoinder affidavit)

Date: 12/08/2009 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE V.S. SIRPURKAR

HON'BLE MR. JUSTICE DEEPAK VERMA

For Appellant(s)            Mr. Shiv Prakash Pandey, Adv.  
   Mr. Rahul Kumar, Adv.

For Respondent(s)            Mr. Mohit Abraham, Adv.  
   Mr. T.S. Sabarish, Adv. for  
   M/S K.L. Mehta & Co.

UPON hearing counsel the Court made the following  
ORDER

The appeal is dismissed in terms of signed order. No  
costs.

(Pardeep Kumar)  
Court Master

(Shashi Bala Vij)  
Court Master

[ SIGNED ORDER IS PLACED ON THE FILE ]