

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.7419 OF 2008
[ARISING OUT OF SLP (CIVIL) NO.11417 OF 2007]

BANK OF INDIA

Appellant(s)

VERSUS

DHANESWAR ROUL

Respondent(s)

ORDER

Leave granted.

We have heard learned counsel for the parties and perused the impugned judgment.

In the facts and circumstances of this case, the impugned judgment cannot be sustained and the same is, accordingly, set aside.

Learned senior counsel appearing for the Bank of India agrees that in full and final settlement of the claim of the respondent, Rs.1,00,000/- would be paid to the respondent. In our considered view, this offer is reasonable and in the interest of the respondent and his family. The main charge against the respondent was excessive drunkenness and riotous, disorderly and indecent behaviour. The respondent himself has prayed for forgiveness and assured that such behaviour would not be repeated. Despite assurance the respondent again indulged in excessive drinking. The family badly suffered on this count.

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Keeping in totality of the facts and circumstances, the appellant Bank undertakes to prepare an FDR of Rs.1,00,000/- in the name of the wife of the respondent for a period of five years. The interest accrued would be regularly paid to her. The respondent shall also be paid the amount which is otherwise due to him on his discharge from the service by the Bank of India within four weeks from today.

The appeal is, accordingly, disposed of.

