

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

Civil Appeal No(s). 2693/2013

UCO BANK & ORS.

Appellant(s)

VERSUS

RAJENDRA SHANKAR SHUKLA

Respondent(s)

Date : 15-02-2018 This appeal was called on for pronouncement of judgment today.

For Appellant(s) Mr. P.H. Parekh, Sr. Adv.
Mr. Rajesh Singh, AOR
Mr. Vishal Prasad, Adv.
Ms. Ravleem Sabharwal, Adv.
Mr. Baij Nath Patel, Adv.
Ms. Sweta, Adv.
Ms. Romila, Adv.

For Respondent(s) Mr. Shishir Mathur, Adv.
Mr. Viresh B. Saharya, AOR
Mr. Akshat Agarwal, Adv.

Hon'ble Mr. Justice Madan B. Lokur pronounced the reportable judgment of the Bench comprising His Lordship and Hon'ble Mr. Justice Deepak Gupta.

The appeal is dismissed in terms of the signed reportable judgment with the following observation:

"19. Under the circumstances, we have no hesitation in dismissing the appeal filed by the Bank also on the ground that the punishment of dismissal could not have been imposed on Shukla after his superannuation.

20. However, we must observe that the learned Single Judge had held against the Bank and the Division Bench also held against the Bank. Notwithstanding this the Bank preferred this

appeal. The appeal was preferred despite at least two decisions delivered by this Court making the legal position clear. The Bank would have been well-advised to follow the law laid down by this Court rather than unnecessarily litigate against an employee who has superannuated. We have no doubt that Shukla must have spent a considerable amount in litigation. Accordingly, while dismissing the appeal, we impose costs of Rs. 1 lakh which will be paid to Shukla within 4 weeks from today towards his legal expenses."

(MEENAKSHI KOHLI)

COURT MASTER

(KAILASH CHANDER)

COURT MASTER

[Signed reportable judgment is placed on the file]