

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

Petition(s) for Special Leave to Appeal (Civil) No(s).13/2009

(From the judgement and order dated 19/09/2008 in CWP No. 12551/2007 of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

PUNJAB GRAMIN BANK & ANR.

Petitioner(s)

VERSUS

DALJIT SINGH SANDHU

Respondent(s)

(With prayer for interim relief and office report )  
(For final disposal)

Date: 09/02/2011      This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B. SUDERSHAN REDDY  
HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR

For Petitioner(s)

Mr. Dhruv Mehta, Sr.Adv.  
Mr. Rajesh Kumar, Adv.  
Mr. Sriram Krishna, adv.  
Mr. Yashraj singh Deora, adv.  
Mr. Sarv Mitter, Adv.  
for M/S Mitter & Mitter Co.,Adv.

For Respondent(s)

Mr. Neeraj Kumar Jain, Sr.Adv.  
Mr. Sanjay Singh, Adv.  
Mr. Pratham Kant, Adv.  
Mr. Ugra Shankar Prasad,Adv.

UPON hearing counsel the Court made the following  
O R D E R

Leave granted.

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

(Sukhbir Paul Kaur)  
Court Master

(Renuka Sadana)  
Court Master

(Signed Order is placed on the file)  
IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.1636 OF 2011  
(Arising out of S.L.P.(C) No.13 of 2009)

PUNJAB GRAMIN BANK & ANR.

Appellant(s)

Versus

DALJIT SINGH SANDHU

Respondent(s)

O R D E R

We have heard the learned senior counsel for the respective parties.

Leave granted.

The learned senior counsel for the appellants mainly contended that the High Court allowed the writ petition filed by the respondent employee on a factually erroneous finding viz. that the inquiry report had not been supplied to the respondent employee even when the same was duly served on the respondent vide letter dated 29th June, 2004. It was also submitted that the respondent in fact made representation against the same on 16th July, 2004. From the judgment it appears that the High Court proceeded on the assumption that the punishing authority did not serve a copy of the inquiry report before forming its final opinion with regard to the findings recorded by the Inquiry Officer

The question is whether as a matter of fact the inquiry report was furnished to the respondent employee or not cannot be gone into by this Court in this appeal. The

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appellants can always seek relief by filing a proper application in the High Court.

It shall be open to the appellants to approach the High Court and file appropriate review petition and satisfy the court that as a matter of fact the report of the Inquiry Officer was furnished even before the show cause notice was issued and thus there was no procedural violation of whatsoever nature.

The learned counsel for the respondent submits that if the appellants choose to file a review petition within 30 days from today, the respondent shall not make any objection whatsoever as regards the limitation.

In the aforesaid circumstances, this appeal is disposed of granting liberty to the appellants to approach the High Court by way of review petition if they are so advised in which event the matter shall be considered on its

own merits since we have not expressed any opinion on the merits of the case.

It is needless to grant any liberty to the appellants to place reliance upon a judgment of this Court titled Sarva Uttar Pradesh Gramin Bank vs. Manoj Kumar Sinha reported in (2010) 3 SCC 556 in C.A. No. 1639 of 2010 as it shall always be open to the parties to rely upon the judgments of this Court. It is for the High Court to decide as to whether the judgments upon which reliance is to be

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placed are applicable to resolve the issues that arise for consideration.

The appeal is, accordingly, disposed of.

.....J.  
(B.SUDERSHAN REDDY)

.....J.  
(SURINDER SINGH NIJJAR)

New Delhi,  
February 09, 2011