IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

FRIDAY,THE FIRST DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE THE CHIEF JUSTICE APARESH KUMAR SINGH
AND
THE HONOURABLE SRI JUSTICE G.M. MOHIUDDIN

WRIT APPEAL NO: 748 OF 2025

Writ Appeal under clause 15 of the Letters Patent Appeal Preferred Against Order Dated 21/04/2025 in WP.No. 23292 of 2016 on the file of the High Court.

Between:

L.S.R. Murthy, S/o Viswanadha Sastry, aged 64 years, R/o F-3, UCO Arcade, Navodaya Colony, Srinagar Colony, Hyderabad-500 073

...APPELLANT/PETITIONER

AND

1. UCO Bank, Rep. by Chairman and Managing Director, having their Registered Office at 10, BTM Sarani, Kolkata-700 001
2. The General Manager, Personnel Services Dept., Head Office-II, UCO Bank, 3 and 4 DD Block,Sector-I,Salt Lake City, Kolkata-700 064
3. The Regional Manager, UCO Bank, Regional Office, Road No.10, Banjara Hills Hyderabad-500 034

...RESPONDENTS/RESPONDENTS

Counsel for the Appellant: SRI B. NALIN KUMAR REP
Ms. PRATUSHA BOPPANA

Counsel for the Respondents: Ms. M. SHALINI

The Court made the following: JUDGMENT

THE HON'BLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH

AND

THE HON'BLE SRI JUSTICE G.M.MOHIUDDIN

WRIT APPEAL No.748 of 2025

JUDGMENT:

Heard the learned Senior Counsel Sri B.Nalin Kumar, representing Ms. Pratusha Boppana, learned counsel for the appellant. Also heard Ms. M.Shalini, learned Standing Counsel for the respondents-bank.

2. It is a case of departmental proceedings against the appellant, an employee of the respondents Bank, on the basis of a charge sheet dated 13.11.1996 for the alleged misconduct during the period 1987 to 1990 in which he was imposed with a punishment on 31.07.1999. The writ petition, namely W.P.No.4965 of 2001, preferred by the appellant being aggrieved by the penalty was allowed by the judgment dated 19.12.2013 giving liberty to the respondents to initiate fresh enquiry. The fresh enquiry has been initiated by letter dated 04.10.2014. The appellant approached in contempt in C.C.No.1641 of 2014 alleging that upon setting aside of the penalty, the

respondents were obliged to restore his position. Learned contempt court did not find wilful disobedience on the part of the respondents. It also observed that the appellant has not been cooperating in the enquiry which remained unconcluded. The order in contempt has been passed on 21.03.2016. A fresh round of litigation has pursued in the form of W.P.No.23296 of 2016 by the appellant for release of increments that were stopped under the punishment order dated 31.07.1999. The learned writ court vide the impugned judgment dated 21.04.2025 observed as under:

> "5. This Court, while setting aside the order of punishment dated 31.07.1999, in Writ Petition No. 4965 of 2001, granted liberty to bank authorities to proceed with the enquiry in accordance with the Rules and Regulations by affording an opportunity to petitioner to examine the witnesses proposed by him and by permitting him to exhibit the documents which he seeks to exhibit. Learned Single Judge has not specifically directed that increments should be restored. As per the order of the learned Single Judge, respondents initiated fresh enquiry and as petitioner has not been cooperating with the Enquiry Officer, enquiry could not be completed at appropriate time. In view of the same, petitioner cannot claim that increments should be released. Since respondent bank in the counter stated that after completion of enquiry, based on the report of the Enquiry Officer, disciplinary authority

would pay amounts towards reduced increments and consequential differential amounts as per bank norms, this Court is of the view that petitioner is not entitled to any relief right now.

6. The Writ Petition is therefore, disposed of directing the respondents to ensure that enquiry initiated against petitioner is completed within a period of four months from the date of receipt of a copy of this order. No costs."

3. The enquiry has not proceeded further. The appellant, meanwhile, remains aggrieved by the non-payment of the withheld increments and has therefore preferred this appeal.

4. We have heard the learned Senior Counsel for the appellant and the learned Standing Counsel for the respondents.

5. The bare facts of the case disclose that the disciplinary proceedings initiated in the year 1996 still remains unconcluded. We are not going to comment upon the default on the part of either of the parties, but it seems to some extent that both are responsible. If the appellant has not cooperated in the fresh enquiry, it was open for the

disciplinary authority to conclude it in accordance with law. This has led to a subsisting claim of increments allegedly withheld since the order of penalty was passed on 31.07.1999. Learned writ court, taking an overall view of the matter, directed the enquiry to be concluded within four months.

6. We are also of the considered view that the disciplinary authority should conclude the enquiry, if not concluded till date, within a period of eight weeks from today. The appellant shall appear before respondent No.3 on 05.08.2025. On his appearance, respondent No.3 would relegate the appellant to be present before the enquiry officer. It would not be open for the disciplinary authority or the respondents-bank to take a plea that the enquiry officer has retired or changed. Meanwhile, all the necessary office orders and formalities, for further conduct of the enquiry proceedings, be completed so that on appearance of the appellant, there is no delay on any of those counts. The successive dates of the enquiry would obviously be informed to the petitioner, who should

participate in the dates of the enquiry. Upon submission of the enquiry report and after complying with the requirement of the second show cause notice within the time stipulated, the disciplinary authority would take a decision in accordance with law within the aforesaid time frame. The consequences which flow out of such decision shall follow. If the appellant fails to cooperate, it will be open for the disciplinary authority to conclude the proceedings in accordance with law.

7. The writ appeal is accordingly disposed of. However, there shall be no order as to costs.

Miscellaneous applications pending, if any, shall stand closed.

SD/-P. CH. NAGABHUSHAMBA
DEPUTY REGISTRAR

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SECTION OFFICER

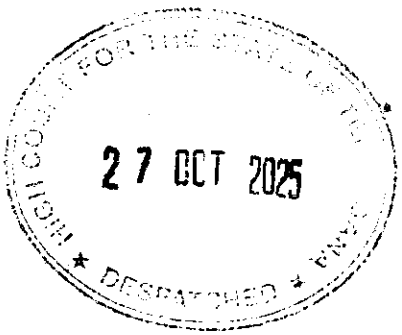
To,

1. The Chairman and Managing Director , UCO Bank, having their Registered Office at 10, BTM Sarani, Kolkata-700 001
2. The General Manager, Personnel Services Dept., Head Office-II, UCO Bank, 3 and 4 DD Block,Sector-I,Salt Lake City, Kolkata-700 064
3. The Regional Manager, UCO Bank, Regional Office, Road No.10, Banjara Hills Hyderabad-500 034
4. One CC to SRI. PRATUSHA BOPPANA, Advocate [OPUC]
5. One CC to Ms. M. SHALINI, Advocate [OPUC]
6. Two CD Copies

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LS
PMC.

HIGH COURT

DATED:01/08/2025



JUDGMENT

WA.No.748 of 2025

DISPOSING OF THE WRIT APPEAL
WITHOUT COSTS

(8) PMG.
23/10/25