IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

MONDAY, THE TENTH DAY OF NOVEMBER
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: 1187 OF 2025

Writ Appeal under clause 15 of the Letters Patent Preferred Against Order Dated 08/07/2025 in WP No 12232 of 2024. on the file of the High Court.

Between:

1. Union Bank of India, rep. by its Managing Director and Chief Executive Officer Central Office, 239, Union Bank Bhavan Vidhana Bhavan Marg, Nariman Point, Mumbai, Maharashtra-400021.
2. The Executive Director and Appellate Authority, Union Bank of India, Central Office, 239,Union Bank Bhavan, Vidhana Bhavan Marg, Nariman Point, Mumbai, Maharashtra-400021.
3. The General Manager (HR), Union Bank of India, Central Office, 239,Union Bank Bhavan, Vidhana Bhavan Marg, Nariman Point, Mumbai, Maharashtra-400021.

...APPELLANTS

AND

S. Ramachandra Rao, S/o. Late Krishan Rao, Age 67 years, Occ. Assistant General Manager (Now Dismissed) Union Bank of India (Ex-Andhra Bank), Rio. Flat No.303, Lotus Roldana Apartments, Block A, Road No.5, Banjara Hills, Hyderabad-500034

...RESPONDENTS

IA NO: 2 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay' the operation of the order and judgment passed in W.P. No 12232/2024, dated 8-7-25.

Counsel for the Appellants: SRI DR. K.LAKSHMI NARASIMHA, SC FOR UBI
Counsel for the Respondent: SRI B.CHANAKYA FOR SRI P.V.RAMANA

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.1187 of 2025

JUDGMENT:

Heard Dr. K.Lakshmi Narasimha, learned Standing Counsel for Union Bank of India, appears for the appellants and Mr. B.Chanakya, learned counsel representing Mr. P.V.Ramana, learned counsel for the respondent.

2. Upon remand in the earlier W.P.No.7402 of 2018 on the quantum of penalty to be imposed in a case of dismissal from service of the writ petitioner, the disciplinary authority passed a speaking order dated 12.04.2024 reiterating the major penalty of dismissal from Bank Service under Regulation 4(j) of the Andhra Bank Officer Employees' (Discipline & Appeal) Regulations, 1976 as earlier imposed and upheld up to the appellate stage. On being challenged again, the learned writ Court *vide* impugned judgment dated 08.07.2025 passed in W.P.No.12232 of 2024 has once again directed the authorities to consider the representation dated

14.02.2024 afresh and pass appropriate orders with regard to the modification of the punishment from dismissal to compulsory retirement along with consequential benefits within a period of four weeks from the date of receipt of copy of the order. The impugned order is extracted in *extenso* as it is a short order:

> "This writ petition is filed seeking the following relief:
>
> ".....to issue a Writ, Order or direction more in the nature of Mandamus declaring the orders passed by the 1st respondent MD and CEO in RA 413:2024 dated 12.4.2024 in rejecting my representation dated 14.2.2024 for modification of the punishment from dismissal to that of compulsory retirement keeping in view of the orders passed by the High Court in W.P.No.7402 of 2018 dated 25.1.2024 and confirming the orders of dismissal passed by the disciplinary authority dated 21.8.2017 confirmed by the Appellate Authority dated 30.11.2017 as illegal, arbitrary and in violation of Article 14,16 and 21 of Constitution of India and contrary to the orders passed by the High Court in W.P.No.7402 of 2018 dated 25.1.2024 consequently declare that the petitioner is entitled for modification of the punishment orders from dismissal to that of compulsory retirement and entitled to receive all pension and retirement benefits from the date of superannuation with all consequential attendant benefits in the interests of justice and to pass...."

2. Heard Sri P.V.Ramana, learned counsel appearing for the petitioner and Dr. K. Lakshmi Narasimha, learned Standing Counsel appearing for the respondents.

3. When the matter was taken up for hearing, the learned counsel for the petitioner has submitted that the petitioner had earlier approached this Court challenging his dismissal order, dated 30.11.2017 passed by respondent No.2 by filing a W.P.No.7402 of 2018. After hearing both sides, *vide* order, dated 25.01.2024, this Hon'ble Court passed the following order:

> "Accordingly, this Writ Petition is disposed of by directing the petitioner to make a fresh representation before the respondent authorities for modification of the punishment from dismissal from service to that of compulsory retirement in terms of Regulation 4(h) of the Andhra Bank Officer Employees' (Dismissal & Appeal) Regulations, 1976 within a period of four (04) weeks from the date of receipt of a copy of this order and on receipt of the same, the respondent bank authorities are directed to consider the same and pass appropriate orders in accordance with law, within a period of eight (08) weeks thereafter".

4. After hearing both sides and observing the merits of the case, this Court had passed the above order and directed the petitioner to make a fresh representation. Subsequently in compliance with the said order, the petitioner made a representation before the authorities. However, the authorities without properly understanding the order passed by this Court, once again simply rejected the same on the very same aspect. The intention of this Court was that after hearing both sides, considering the issues involved, the Court has passed modification of the original order from dismissal to compulsory retirement. After hearing the arguments submitted by the counsel for the respective parties, the aforesaid order was passed. Even today, the learned counsel for the respondent again submitted the same arguments.

5. In view of the above said submissions, this Court deems it appropriate to dispose of this writ petition by directing the authorities to consider the representation, dated 14.02.2024 afresh and to pass appropriate orders with regard to the modification of the punishment from dismissal to compulsory retirement along with the consequential benefits within a period of four (4) weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed."

3. It is argued by learned Standing Counsel for the appellants that the writ petitioner failed to raise any fresh grounds in the present challenge beyond what was canvassed in the earlier proceedings. The learned writ Court failed to record specific findings as to why the fresh speaking order reiterating the major penalty of dismissal from Bank service is shockingly disproportionate to the alleged misconduct or has failed to consider the relevant grounds urged by the writ petitioner. Therefore, prayer is made to set aside the order.

4. Learned counsel for the writ petitioner submits that in teeth of the direction passed by the writ Court in the

previous round of litigation, the appellant Bank has once again reiterated the same penalty of dismissal from Bank service without any application of mind or consideration of the observations passed by the writ Court.

5. We have considered the submissions of learned counsel for the parties.

6 A perusal of the impugned order shows that the learned writ Court has not recorded any finding as to why the speaking order passed by the disciplinary authority after remand suffers from such errors which warrant reconsideration. The learned writ Court has simply directed the authorities to once again consider the writ petitioner's representation dated 14.02.2024, on consideration of which the order dated 12.04.2024 was passed.

7 We, therefore, feel that the matter requires reconsideration by the learned writ Court.

8. Accordingly, the impugned order is set aside. The mater is remitted to the file of the learned writ Court for reconsideration.

9. The instant Writ Appeal is allowed to the extent indicated hereinabove. However, there shall be no order as to costs.

Miscellaneous applications pending, if any, shall stand closed.

SD/-K.SAILESHI
JOINT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. The Managing Director and Chief Executive Officer Central Office, Union Bank of India, 239, Union Bank Bhavan Vidhana Bhavan Marg, Nariman Point, Mumbai, Maharashtra-400021.
2. The Executive Director and Appellate Authority, Union Bank of India, Central Office, 239,Union Bank Bhavan, Vidhana Bhavan Marg, Nariman Point, Mumbai, Maharashtra-400021.
3. The General Manager (HR), Union Bank of India, Central Office, 239,Union Bank Bhavan, Vidhana Bhavan Marg, Nariman Point, Mumbai, Maharashtra-400021.
4. The Section Officer, Posting Section, High Court for the State of Telangana, Hyderabad.
5. The Section Officer, Writ (Service) Section, High Court for the State of Telangana, Hyderabad.
6. One CC to SRI DR K LAKSHMI NARASIMHA, SC FOR UBI [OPUC]
7. One CC to SRI P.V.RAMANA, Advocate [OPUC]
8. Two CD Copies

PSK.
LS

HIGH COURT

DATED:10/11/2025

JUDGMENT

WA.No.1187 of 2025



ALLOWING THE WRIT APPEAL
WITHOUT COSTS

(10)
kpr
20/11/25