

# Central Government Industrial Tribunal, Jabalpur

## ORDER SHEET

DATE OF ORDER OF PROCEEDING	ORDER OR PROCEEDING WITH SIGNATURE OF PRESIDING OFFICER	REMARK
<b>Case No. CGIT/R/35/2017</b> <b>P.C. Sinha Vs. Canara Bank</b>		
15.01.2026	<p>Matter taken up.</p> <p>Learned Senior Counsel Mr. Anoop Nair present for workman. Mr. Abhinav S. Kherdikar Learned Counsel present for management Bank.</p> <p>I have heard argument of Learned Senior Counsel Mr. Anoop Nair, assisted by Ani Agrawal Learned Counsel and Mr. Abhinav S. Kherdikar Learned Counsel for Bank on preliminary issue, which is as follows :-</p> <p><i>Whether the departmental inquiry conducted is just, legal and proper ?</i></p> <p>Perused record. First argument is that the charge is ambiguous, secondly, the witnesses were examined in absence of the charged employee and thirdly, opportunity of cross examination was not given.</p> <p>Charge against the workman is that he credited an amount which was Rs. 10000/- more, then the amount mentioned in the instrument which was presented before him for being credited in the account of the drawee. There appears no ambiguity in the charge. Regarding second argument, it comes out from perusal of proceedings dated 11.07.1996 that the charged employee was present, his representative was not present and statements, i.e. examination in chief of the three management witnesses were recorded, in his presence. On 12.07.1996, referred to from the side of workman, examination in chief of two witnesses were recorded. There is no mention in the inquiry proceeding relating this date i.e. 12.07.1996 that the</p>	

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	<p>charged employee of his representative was present on that date. Hence, it is established that examination in chief of two witnesses in support of charge were recorded in absence of the charged employee on 12.07.1996. Also, it comes out from perusal of inquiry papers that the inquiry was conducted on 11.07.1996 and was continued for 12.07.1996 under intimation to the charged employee. Hence, the charged employee had knowledge of the date. More ever, opportunity of cross examination of all witnesses produced has been given to the charged employee, which has been availed by him. Hence, this may be an irregularity but not a material irregularity to prejudice the defense. There appears no any other illegality or material irregularity in conducting the departmental inquiry, which could prejudice the defense. Hence, holding the departmental inquiry just legal and proper, preliminary issue is answered accordingly.</p> <p>Following additional issues are framed :-</p> <ol style="list-style-type: none"><li><i>1. Whether the finding of the Inquiry Officer and concurrence by Disciplinary Authority with respect to proof of the charges is perverse ?</i></li><li><i>2. Whether the punishment is proportionate to the charges proved ?</i></li></ol> <p>List on 24-02-2026 for hearing. Parties are at liberty to file their affidavits if any, strictly on additional issues.</p> <p>Upload this order.</p> <p style="text-align: right;"><b>PRESIDING OFFICER</b></p>	