

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 (C) No(s).22138-22139/2022

(Arising out of impugned final judgment and order dated 25-10-2022 in WA No.1473/2022, 25-10-2022 in WA No.1490/2022 passed by the High Court Of Kerala At Ernakulam)

PUDUPPADI SERVICE CO OPERATIVE BANK LTD. & ANR.      Petitioner(s)

VERSUS

MATHEW JOSEPH & ORS.      Respondent(s)

Date : 07-03-2024 These petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SURYA KANT  
HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Petitioner(s) Mr. Raghenth Basant, Sr. Adv.  
Mr. Kaushitaki Sharma, Adv.  
Mr. Prerna Acharya, Adv.  
Ms. Purnima Krishna, AOR

For Respondent(s) Mr. S.S. Ray, Adv.  
Mr. P. S. Sudheer, AOR  
Mr. Rishi Maheshwari, Adv.  
Ms. Anne Mathew, Adv.  
Mr. Bharat Sood, Adv.  
Ms. Miranda Solaman, Adv.

Mr. Harshad V. Hameed, AOR  
Mr. Dileep Poolakkot, Adv.  
Mrs. Ashly Harshad, Adv.  
Mr. Shivam Sai, Adv.  
Ms. Mansha Shukla, Adv.

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

1. Mr. Basant, learned senior counsel for the petitioner-Bank states that after the impugned order dated 25.10.2022 was passed by a Division Bench of the High Court of Kerala at Ernakulam, the Bank reconsidered the quantum of punishment pursuant to the fresh disciplinary proceedings and instead of dismissal from service, a lesser punishment of reduction in rank has been imposed on

respondent no.1 (delinquent employee). He states that respondent no.1, however, has not come forward to resume the duties for the reason that he is settled in Australia after overstaying the leave, which was initially granted up to 11.08.2014.

2. Faced with this, Mr. S.S. Ray, learned counsel for respondent no.1 seeks and is granted three weeks' time to file an affidavit of respondent no.1 regarding whether he has returned to India and, if so, whether he is willing to join for duty at the petitioner-Bank.

3. A complete set of photostat copy of respondent no.1's passport shall also be attached with the said affidavit.

4. Post the matters on 22.04.2024.

(ARJUN BISHT)  
COURT MASTER (SH)

(PREETHI T.C.)  
COURT MASTER (NSH)