

SUPREME COURT OF INDIA

Tripura Gramin Bank

Vs.

Tarit Baran Roy

C.A.No.1096 of 1998

(G.B.Pattanaik and B.N.Agrawal JJ.)

31.01.2001

ORDER

The Text below is only a summarized version of the order pronounced

Defendant who working as a cashier in appellant bank dismissed from service on ground of several irregularities and illegities. Dismissal Order set aside by High Court on ground that defalcation cannot be said to have been established and that punishment inflicted was disproportionate. On basis of precedents it had been held that Court should not interfere with quantum of punishment unless conscience of Court is found to be shocking. Supreme Court quashed judgment of High Court as it was not open for High Court to depreciate evidence on basis of which enquiry officer arrived at his conclusion.