

SUPREME COURT OF INDIA

Chairman of Board of Dir.K.G.Bank

Vs.

Duryodhan Lenka

C.A.No.397 of 2010

(S.H. Kapadia and Swatanter Kumar JJ.)

15.01.2010

ORDER

1. Leave granted.
2. Heard learned counsel on both sides.
3. The only ground on which the order of the Disciplinary Authority, confirmed by the Chairman in appeal, stood set aside by the High Court was on the ground that the order passed by the Disciplinary Authority was an ex-parte order. In the facts and circumstances of this case, we are of the view that ends of justice would be subserved if the High Court decides Writ Petition No.13239 of 2003 on merits. For the afore-stated reasons, we set aside the impugned order and remit the matter to the High Court for de novo consideration on merits. We request the High Court to expeditiously hear and dispose of the said writ petition, preferably within four months from today. We make it clear that we are not expressing any opinion on the merits of the case. We also keep all contentions on both sides expressly open.
4. Accordingly, the civil appeal stands disposed of with no order as to costs.