

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3158 of 2015

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Pramod Kumar Choudhary, S/o- Siyakant Choudhary, Resident of Village -
Dhoi, Naw Toli, P.O.- Dhoi, P.S.- Darbhanga (Sadar), District - Darbhanga
..... Petitioner

Versus

1. The Chairman Cum- Managing Director, Syndicate Bank, 25th Cross, Gandhi Nagar, Bangalore - 560009 (Karnataka).
2. The General Manager (Personnel) Syndicate Bank, Head Office Post Box No.1, Udupi, District- Manipal - 5761014 (Karnataka).
3. The Deputy General Manager Syndicate Bank, Regional Office, Maurya Lok Complex, Dak Bunglow Road, Patna.
4. The Assistant General Manager, Syndicate Bank, Regional Office, Maurya Lok Complex, Dak Bunglow Road, Patna.
5. The Chief Manager, Personnel Cell, Syndicate Bank, Regional Office, Maurya Lok Complex, Dak Bunglow Road, Patna.
6. The Senior Branch Manager, Syndicate Bank, Main Branch, Darbhanga.
7. The Senior Branch Manager, Syndicate Bank, Main Branch, Muzaffarpur.

..... Respondents

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Mishra

For the Respondent/s : Mr. Siddharth Harsh

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

3 31-03-2015 Heard learned counsel for the parties.

When this writ application was filed on 24.2.2015, the prayer of the petitioner was to consider his case for fixation of salary and also payment of arrears. Now learned counsel for the petitioner submits that the petitioner has been asked to join at Danapur vide an order dated 3.2.2015, as contained in Annexure 12, but he is not being relieved by the competent authority.

In the considered opinion of this Court the petitioner's entitlement for payment of salary either arrear or current will be

dependent on his actual proof of working. From the materials on record, it transpires that the proceeding against the petitioner has been sought to be initiated on account of his being absent from duty from 2007 onwards. This Court will not find the petitioner entitled for payment of arrears till the proceedings come to an end. As with regard to payment of current salary, that again would depend on petitioner's complying the order of the Bank dated 3.2.2015. The petitioner wants to join at his post and therefore, if any person is to relieve the petitioner he must do, so that the petitioner can join his post at Danapur. If the petitioner is supposed to comply certain requirement and give certain information or documents, he must do so before his joining is accepted at Danapur.

With the aforementioned observation, this application is disposed of.

(Mihir Kumar Jha, J)

surendra/-

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