

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2446 of 1999

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Ramesh Prasad Karn, Son of Late Shiva Nandan Lal, resident of Village-Dudhpura,
P.S.-Hasanpur, District-Samastipur.

..... **Petitioner/s**

Versus

1. State Bank of India through the Chief General Manager, State Bank of India,
Local Head Office, Patna.
2. The Deputy General Manager (Appellate Authority), State Bank of India, Zonal
Office, Muzaffarpur.
3. The Assistant General Manager, Region III, State Bank of India, Zonal Office,
Muzaffarpur.

..... **Respondent/s**

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Appearance :

For the Petitioner/s : Mr. Sharvesh Chandra Verma, Adv.

For the Respondent/s : Mr. Ajay Kumar Sinha, Adv.

Mrs. Manju Jha, Adv.

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL JUDGMENT

Date: 01-04-2015

On the basis of a disciplinary proceeding conducted
against the petitioner for the misconduct alleged to have been
committed by him when he was posted as Clerk-Cum-Typist,
Chapra Branch of State Bank of India, by an order dated
17.01.1981, the Regional Manager (Disciplinary Authority) had
imposed upon him punishment of stoppage of two of his future



increments having effect of postponing all his future increments accordingly in terms of Paragraph 521 (5) (d) of Shastry Award as retained by Desai Award. Against the said order of the Appellate Authority, the petitioner had preferred an appeal in the year 1981. The Appellate Authority appears to have passed the order on petitioner's appeal on 28.11.1997 which has been brought on the record by way of Annexure-15 to the writ application.

Mr. Ajay Kumar Sinha, learned counsel appearing on behalf of the respondent-State Bank of India, submits that in another departmental proceeding, the punishment of dismissal from service was imposed on the petitioner, proceeding with respect to which was started in the year 1983. It appears that he remained under the order of dismissal at least till 27.09.1995 when this Court quashed the order of dismissal by an order passed in C.W.J.C. No. 742 of 1995 and remanded the matter back to the Disciplinary Authority for taking a decision afresh for complying with the formalities as indicated in the said order. It appears that because the petitioner was under the order of dismissal, the appeal preferred by him remained pending for all these years.

I have considered the pleadings mentioned in the writ

application as well as in the counter affidavit filed on behalf of the respondent-State Bank of India. I do not find any procedural infirmity in imposing punishment of stoppage of two of his increments with cumulative effect. I find that the order of the Appellate Authority is reasoned one and does not require any interference on the ground that it was passed sixteen years after presentation of memo of appeal. In the peculiar facts and circumstances of the case, I find no merit in this application.

This application is, accordingly, rejected.

There would be, however, no order as to cost.

(Chakradhari Sharan Singh, J)

Praveen-II/-

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