

Letters Patent Appeal No1241 of 2012
IN
Civil Writ Jurisdiction Case No 638 of 2006

In the matter of an appeal under Clause X of the Letters Patent of Patna High Court Rule.

- =====
1. Zonal Manager, Central Bank of India Pawapuri Building, N.H.-28, Bhagwanpur Muzaffarpur, Bihar
 2. The Regional Manager Central Bank Of India, Speaker Chowk, P.O.- Box 58, Muzaffarpur, Bihar
 3. The Administrative Office Central Bank Of India, Regional Office, Speaker Chowk, P.O. Box- 58, Muzaffarpur
 4. The Branch Manager Central Bank of India, Sheohar Branch, Sitamarhi

.... Appellant/s

Versus

Rabindra Kumar Singh S/O Late Sheoji Singh R/O Village & P.O.- Hasanpur, Via-Mahnar, District- Vaishali

.... Respondent/s

=====

For the Appellant/s : Mr AJAY KUMAR SINHA

=====

CORAM: HON'BLE MR JUSTICE NAVANITI PRASAD SINGH
And
HON'BLE MR JUSTICE JITENDRA MOHAN SHARMA

ORAL JUDGMENT

(Per: HON'BLE MR JUSTICE NAVANITI PRASAD SINGH)

Heard the learned counsel for the sole respondent in respect of the limitation petition and admission of this appeal.

2 For the reasons stated, delay in filing the appeal is condoned.

3 The writ petitioner had filed the writ petition being



aggrieved by the order of the disciplinary authority and the appellate authority of the Bank by which he has been discharged from service with retiral benefits. In the disciplinary proceedings, virtually the solitary issue was with regard to genuineness of the signature of account holder and participation of the writ petitioner in committing forgery for withdrawing huge sums of money in connivance with some other officials of the Bank. The learned Single Judge came to a finding that unless the signatures are compared and its authenticity established, the charge cannot be held to be established. Accordingly, the writ petition was allowed holding thus :

“The impugned findings of the disciplinary authority and the appellate authority cannot stand in the absence of the verification of the signature of the petitioner in the Signature Card as introducer of the account of the Samila Khatoon with the signature of the petitioner in his own account. The orders dated 01.04.2005 of the Disciplinary Authority and 30.11.2005 of the Appellate Authority are, accordingly, quashed and the matter is remanded to the Disciplinary Authority to reconsider the same after getting the signature of the introducer on the Signature Card of Samila Khatoon verified with the signature of the petitioner in his own account by a handwriting expert and thereafter pass an appropriate order in accordance with law.”

4 It is obvious that the only direction that the Writ Court has given is for getting the signatures compared and then to proceed in the matter. The writ petitioner was not exonerated as such.

5 In that view of the matter, we are not inclined to interfere.

This appeal is, accordingly, dismissed.

(Navaniti Prasad Singh, J)

(Jitendra Mohan Sharma, J)

**Patna High Court,
The 20th of February 2015,
NAFR, M E Haque/-**

U			
---	--	--	--