

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.862 of 2015

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Shyam Kishore Mishra son of late Nand Kumar Mishra, resident of village-
Godara Brahm Toli, P.O. AND Police Station- Revelganj, District- Saran
(Chapra).

.... Petitioner/s

Versus

1. The Central Bank of India through the General Manger, Central Officer,
Chander Mukhi Nariman Point Mumbai-400021.
2. The Zonal Manager cum Appellate Authority, Central Bank of India,
Zonal office B Block, 2nd floor, Maurya Lok Complex, Patna-800001.
3. The Disciplinary Authority/Regional Manager, Central Bank of India,
Regional office, Siwan near head post office, Siwan-841226.
4. The Inquiring Officer cum the then Senior Manager, Regional office,
Central Bank of India, Siwan near head post office Siwan-841226.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Chitranjan Sinha, Sr. Adv.
Mr. Umesh Kumar Mishra, Adv.
For the Bank : Mr. Rajeev Ranjan Prasad, Adv.

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 13-02-2015 Having regard to the fact that the petitioner has not

filed an appeal against the impugned order of punishment, this

Court must hold the present writ application to be premature

because filing of such appeal is a statutory remedy.

That being so, when such an observation has been
made, learned counsel for the petitioner seeks permission to
withdraw this application in order to enable the petitioner to move
appellate authority with a protection that if the petitioner would
file an appeal within a period of fifteen days from today, the same
will be decided on merit and he should not be non-suited on the

ground of delay in filing of the appeal.

In the considered opinion of this Court, this much leave has to be given to the petitioner because he had somehow an impression that earlier when the matter was decided by this Court, he could have also moved this Court straightway against the order of punishment.

In that view of the matter, it is hereby directed that if the petitioner would file his appeal within a period of 15 days from today, the appellate authority shall decide the appeal of the petitioner on merit without non-suiting him on the ground of delay/limitation, if any.

With the aforementioned direction and liberty, this application is permitted to be withdrawn.

(Mihir Kumar Jha, J)

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