

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No 133 of 2014

IN

Civil Writ Jurisdiction Case No 8090 of 2012

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Raghwendra Pratap Singh Son Of Shri Sri Narayan Singh Resident Of Shyam
Nagar, P.O. + P.S.- Budha, District- Dhanbad (Jharkhand)

.... Appellant/s

Versus

1. The Union of India through the Secretary, Department Of Finance, Government of India, New Delhi
2. The Central Bank of India through Chief Managing Director, Central Office Mumbai- 400 021
3. The General Manager, Central Bank of India, Central Office, Mumbai- 400 021
4. The General Manager (Human Resources Development) Central Bank of India, Central Office, Mumbai - 400021
5. The Zonal Manager, Central Bank of India, Muzaffarpur Zone, Bihar
6. The Regional Manager, Central Bank of India, Motihari

.... Respondent/s

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Appearance :

For the Appellant/s : Mr Tej Bahadur Singh, Sr Advocate with
Mr Amrit Abhijat, Advocate

For the B a n k : M/s Rajeev Ranjan Pd, Rajendra Kr &
Nilanjan Chatterjee, Advocates

For Union of India : Mr Shyam Bihari Singh, CGC &
Mr S D Sanjay, ASG

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CORAM: HON'BLE MR JUSTICE NAVANITI PRASAD SINGH
&
HON'BLE JUSTICE SMT NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR JUSTICE NAVANITI PRASAD SINGH)

Date: 30-01-2016

We have heard Shri Tej Bahadur Singh, learned Senior
Counsel for the writ petitioner/appellant and Shri Rajeev Ranjan
Prasad, learned counsel for the Central Bank of India and, with their

consent, this appeal is being disposed of at this stage itself.

2 This appeal is directed against the judgment and order dated 02.09.2013 passed in CWJC No 8090 of 2012 wherein the writ petition was dismissed.

3 The writ petitioner/appellant was selected as a Probationary Officer in Junior Management Grade/Scale I (Main Stream). While, on probation, the Management received a police report stating that the writ petitioner/appellant had been caught while appearing in an interview being conducted by the State Bank of India for Probationary Officers, impersonating another candidate. On being questioned, the writ petitioner/appellant gave in writing that he had not impersonated the said person in the written examination but was only appearing, in his place, for interview. This was given by him in writing to the authorities enquiring in the matter at that time. This formed the basis of the first Information Report lodged against him under Sections 420, 467, 468, 471 and 120-B of Indian Penal Code and Gandhi Maidan Police Station Case No 10 of 2012 was registered. Upon this information being received, writ petitioner/appellant's probation was terminated.

4 Various grounds have been taken by the appellant as were also taken before the learned Single Judge basically that there was clear violation of principles of natural justice and, hence, the order terminating probation be set aside.

5 Shri Rajeev Ranjan Prasad has brought to our notice, the letter of appointment issued to the writ petitioner/appellant which is Annexure 1 to the Memo of Appeal, Clauses 5 and 6 thereof are quoted hereunder:

5 You will be on probation for a period of 2 years from the date of your joining the Bank. Your confirmation in the Bank will be subject to your making satisfactory progress during the probation period and attaining the standard required by the Bank, failing which, the Bank may decide to terminate the appointment or choose to extend the probation period to give you further opportunity and time to attain the required standard.

6 Your confirmation in the Bank's service will also be subject to receipt of satisfactory report regarding your character and antecedents from the District/Police authorities. If the said enquiries are not completed before you become due for confirmation in the Bank, you will be appointed/confirmed in the Bank subject to receipt of satisfactory reports thereof. In the event of any adverse report being received from the Police authorities, your services are liable to be terminated without assigning any reason.

If we read Clause 6, there is nothing left to be argued.

6 In view of the facts and circumstances noted above, we are not inclined to interfere in this appeal. It is, accordingly, dismissed.

(Navaniti Prasad Singh, J)

(Nilu Agrawal, J)

M.E.H./-

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