

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3467 of 2015

In

Civil Writ Jurisdiction Case No. 5400 of 2006

=====

Jeevan Kumar Jha, Son of late Chandra Mohan Jha, Permanent resident of
Mohalla- Balbhadrapur, P.S.- Laheriasarai, District- Darbhanga,

.... Petitioner/s

Versus

1. The State Bank of India, through Sri B. Sriram Managing Director,
National Banking Division, S.B.I., Central Office, Nariman Point,
Mumbai.
2. Sri Aparesh Das, Deputy General Manager, SBI Zonal Officer, Purnea.
3. Sri Arun Pandey, Assistant General Manager, Region IV, SBI, Regional
Business Office, Darbhanga.
4. Sri Arun Pandey Region-IV, SBI Zonal Office, Muzaffapur.
5. Sri Arvind Kumar, Branch Manager, SBI Agriculture, Department
Branch Benipur, Darbhanga.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Md.Imteyaz Ahmad

For the Respondent/s : Mr. Sri Sunil Kumar Singh

=====

CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

2 20-07-2016 Heard counsel for the petitioner and learned counsel
appearing for the Bank.

The original petitioner, Jeevan Kumar Jha, has filed the
instant contempt application for willful disobedience of order,
dated 10.09.2014, passed in C.W.J.C. No. 5400 of 2006, by the
Opposite Parties. By the order, this Court, while setting aside the
notice as contained in Annexure-12 of the writ application and

consequential order of punishment, granted liberty to the respondents (opposite parties herein) to proceed from the stage of issuance of fresh show-cause notice indicating its tentative disagreement with the findings of the enquiry report.

During the pendency of the contempt application, the petitioner, Jeevan Kumar Jha, has passed away and an I.A. application being, I.A. No. 4230 of 2016, has been filed on behalf of his wife Mala Jha, to be substituted in his place.

The I.A. application is allowed. Let Mala Jha be substituted in place of the original petitioner, late Jeevan Kumar Jha.

On merit, counsel for the Bank submits that pursuant to the direction of this Court, a fresh show-cause notice dated 27.01.2015, has been served upon the petitioner. A copy of the same is annexed as Annexure-A to the show-cause.

However, counsel for the petitioner submits that opposite parties made the same error as they have not expressed their tentative disagreement with the findings of the enquiry report, while issuing second show-cause notice.

In my view, if the submission of the petitioner is correct, the same would require consideration but could be a subject of independent writ application. I am informed that the petitioner has

already filed another independent writ application.

It goes without saying that it will be open for the petitioner to take all these points in the writ application without prejudice that the contempt application was filed.

With the observation aforesaid, the contempt application is disposed of.

(Samarendra Pratap Singh, J.)

kunal/-

U			
---	--	--	--