

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1119 of 2016

- =====
1. Dharendra Kumar Verma Son of Late Uday Prasad Verma resident of 91, New SBI officers Colony, Digha Ghat, P.S. Digha, District - Patna

.... Appellant/s

Versus

1. The State Bank of India through its Chairman, Corporation Office, Madam Cama Road, Mumbai
2. Chief General Manager, State Bank of India, Local Head Office, Near Gandhi Maidan, Patna
3. General Manager, Personnel Department, State Bank of India, Local Head Office, Near Gandhi Maidan, Patna

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Abhinav Srivastava, Advocate

For the Respondent/s : Mr. Kameshwar Mishra, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 09-08-2017

Delay of 153 days in filing of the appeal is condoned and

I.A. No.8858 of 2016 is allowed and disposed of.

Considering the fact that when the Departmental Promotion Committee met, the petitioner was facing a criminal case initiated by the Central Bureau of Investigation which was instituted on 21st of March, 1986 and, therefore, when his case was considered for promotion in June, 1986, the sealed cover procedure was followed and as in the criminal case the petitioner was convicted, no direction for reopening of the sealed cover and granting promotion to



the petitioner can be issued.

The contention of the petitioner that he was due for promotion in the year 1985 and the sealed cover procedure was delay by the Department cannot be accepted. Merely because the petitioner came within the zone of consideration, that will not give any right to claim promotion.

The respondents having rightly followed the sealed cover procedure as on the date on which the Departmental Promotion Committee met, the criminal case was pending against the petitioner, we see no reason to make indulgence into the matter.

Finding no error in the order warranting reconsideration, this appeal is dismissed.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

K.C.jha/-

AFR/NAFR	NAFR
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