

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1232 of 2013

IN

Civil Writ Jurisdiction Case No. 11101 of 1997

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Ghanshyam Jha S/O Shri Birendra Jha Resident Of Village - Sarhad, P.S. - Pandaul,
District - Madhubani

.... Appellant/s

Versus

1. Central Bank Of India Through Its General Manager, Central Office, Nariman Point, Bombay
2. General Manager, Central Bank Of India, Central Office, Nariman Point, Bombay
3. Regional Manager, Central Bank Of India, Regional Office, Motihari, Bihar
4. Appellate Authority, Central Bank Of India, Zonal Office, Muzaffarpur

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ratanakar Jha

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

And

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 04-02-2017

The appeal has been filed against the order, dated 27.02.2013, passed by a Learned Single Judge in C. W. J. C. No. 11101 of 1997. The Learned Single Judge after having heard and gone through the materials on record refused to interfere with the order of termination issued against the appellant, since the finding in the enquiry emerged that the appellant had used a forged school leaving certificate, showing his date of birth to be 05.11.1967, whereas on verification from the school, in question, the Headmaster of school gave an unambiguous communication, certifying that the date of birth of the petitioner was actually 02.01.1963 and that the



certificate was not issued by the school.

The charges were treated to be serious enough, because the petitioner had tried to obtain employment at the very threshold by using forged documents for the advantage of a few extended year of service under the respondents.

The submission of the counsel for the appellant is that the letter of Headmaster was obtained behind the back on a visit made by one of the Officers of the bank to the said school and that was used as evidence to come to a conclusion that a fraud was played in production of the school leaving certificate with regard to the date of birth.

The enquiry and the finding are not based on that evidence alone. In addition to that, if the appellant was confronted with that communication of the Headmaster with regard to the school leaving certificate and the date of birth being a forged one, the appellant had all the opportunities to demand, summoning of the Headmaster and production of records for verification, if he was really serious with regard to the stand taken by the Headmaster and the communication and certification, which was done by him in relation to the school leaving certificate, which the appellant had produced.

Obviously, there are chinks in his armour, so the appellant did not want to push the matter beyond a point. Therefore, such submissions are of no avail. The order of the Learned Single



Judge does not suffer from any kind of infirmity. Therefore, the appeal is dismissed, being devoid of merit.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

SKM/-

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