

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18588 of 2008

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Sri Krishna Kumar Mishra s/o Bishwanath Mishra r/v-Dhebani, P.S. – Brahmpur,
District - Buxar

.... Petitioner/s

Versus

1. The Chairman/M.D. Canara Bank, Bangalore
2. Deputy General Manager, and Disciplinary Authority, Canara Bank, Lav-Kush Tower, Exhibition Road, Patna
3. Manager, Canara Bank, Buxar, District- Buxar
4. Inquiry Officer, Canara Bank, Circle Office Lav-Kush Tower, Exhibition Road, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. DAMODAR PRASAD TIWARY, Adv.
Mr. Braj Bhushan Mishra, Adv.
For the Respondent/s : Mr. RATNESH NANDAN SINHA
For Canara Bank : Mr. Virendra Kumar Sinha, Adv.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL JUDGMENT

Date: 20-02-2017

Heard both sides.

The petitioner filed this writ petition for following relief;

(1.) for issuance of an order to stay the departmental

Proceeding pending before the Enquiry Officer till the conclusion of
the trial pending before the Judicial Magistrate, Buxar.

(2.) for direction to pay the subsistence allowance during
the period of suspension from 01.06.2008 till the date of termination.

The petitioner has already been dismissed from service after enquiry.

Mr. Damodar Prasad Tiwary learned counsel for the
petitioner submits that of course, the petitioner has already been
dismissed from service, but his subsistence allowance during the



suspension period according to the circular of the bank has not been paid.

Mr Virendra Kumar Sinha, learned senior counsel for Canara Bank submits that if any allowance is still to be paid to the petitioner, the petitioner may file representation before the bank and the bank will consider the representation of the petitioner.

Considering the facts aforesaid that the writ petition has become infructuous, the same is dismissed, as has become infructuous with a direction to the bank that if the petitioner files any representation, the same shall be disposed of within three months, from the date of presentation of such petition by the petitioner.

(Prabhat Kumar Jha, J.)

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