

## IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5241 of 2013

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Mahesh Sinha Nirala S/O Late Satya Dev Sinha Resident Of Gandhinagar, P.O-Laxmisagar In The Town Of Darbhanga And Half Years At Present Posted As Branch Manager, Madhubani Branch And Officer In Scale Ii Under The Regional Office Of Madhubani

.... .... **Petitioner**

**Versus**

1. Uttar Bihar Gramin Bank Having Its Head Office At Kalam Bagh Chowk, Muzaffarpur, Bihar Through Its Board Of Directors.
2. General Manager, Uttar Bihar Gramin Bank, Muzaffarpur.
3. Chairman- Cum- Disciplinary Authority, Uttar Bihar Gramin Bank, Muzaffarpur.
4. Devki Nandan Verma Served As Enquiry Officer Who In Scale Iii Posted In The Head Office, Uttar Bihar Gramin Bank, Muzaffarpur.

.... .... **Respondents**

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**Appearance :**

For the Petitioner : Sri Prakash Shrivastava, Advocate,  
Sri S. Bharti, A.Priyadarshni, R.Kumari, Advocates  
For the bank : Mr. Prabhakar Jha, Advocate

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**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**

**ORAL JUDGMENT**

**Date: 11-05-2018**

Heard learned counsel for the petitioner and the Bank.

The short submissions made by learned counsel for the petitioner is that the charges are in relation to some irregularities in disbursement of Rural Housing loan under two categories, i.e. the Rural Housing Load Subsidy scheme as well as under Million Shallow Tubewell Project scheme.

It is submitted by learned counsel for the petitioner that the defence exhibit 3 (D/E 3) shows all the loanees had utilized the loan towards construction of their respective houses, whereas defence exhibit 4 (D/E 4) shows the photographic proof of the newly constructed houses, verified by the Block Agriculture Officer certified by the local Block Development Officer as per Defence



Exhibit No. DE-5.

He submits that had these facts been appropriately considered, authorities could not have passed such harsh punishment order as no financial loss has been caused to the bank. The petitioner has also filed an appeal before the Board of Directors of the Bank, but in vain.

In view of the aforesaid discussions, this writ petition is disposed of with observation that the petitioner may file an application before the Appellate authority for the limited purpose of re-examining the quantum of punishment within a period of three months from today. If such application is filed, the Appellate authority would be obliged to consider the same in accordance with law by speaking order within a period of three months thereafter.

**(Madhuresh Prasad, J)**

Shashi.

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| AFR/NAFR          | NAFR       |
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