

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Review No.377 of 2017

In
Letters Patent Appeal No.2168 of 2015

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1. The General Manager, UCO Bank, Head Office, Retail Banking Department 10 B.T.M. Sarain, Kolkata- 700001
 2. The Chief Officer, Retail Banking Department, 10B.T.M. Sarain, Kolkata- 700001
 3. The Zonal Manager, UCO Bank, Zonal Office, Patna
 4. The Assistant General Manager, UCO Bank, Zonal Office, Patna
 5. Senior Manager, Sangrampur Branch, UCO Bank, Sangrampur

... .. Petitioner/s

Versus

1. Md. Mukhatar Ali, son of Aslam Askari, Resident of Alamganj Narkat Ghat Lane, P.S. Alamganj, District- Patna
2. The State of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. S.D. Sanjay, Sr. Advocate
For the Respondent/s	:	Mr. Syed Arshad Alam, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

8 11-04-2018 Delay in filing of this application is condoned. I.A.
No. 8730 of 2017 stands allowed and disposed of.

Having heard learned counsel for the parties, we find that while partly allowing L.P.A. No. 2168 of 2015 and while upholding the order passed by the Writ Court, the statutory rule applicable in the matter namely, sub section 4 of Regulation 29 of the UCO Bank Service Regulation was not taken note of. The general principle with regard to right to withdraw a resignation before its acceptance was considered and the issue decided



without taking note of the fact that under sub section 4 of Regulation 29 the withdrawal is not permitted until and unless approval is granted for the same and available on record is Annexure-C a communication made by the Bank on 23.05.2009 rejecting the permission to withdraw the rejection.

In view of the above, there is an error apparent on the face of the record which warrants consideration. Accordingly, this application is allowed, order dated 17.05.2017 passed in L.P.A. No. 2168 of 2015 is recalled. The said L.P.A. is restored to its original file. It be now placed for orders before the appropriate Bench.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

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