

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6478 of 2001

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Jugesh Kumar

.... Petitioner/s

Versus

The Allahabad Bank & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. ARVIND KUMAR VERMA
Mr. Amit Pawan

For the Respondent/s : Mr. AJAY KUMAR SINHA
Mr. Ajit Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 06-03-2018

Heard the learned counsel for the petitioner as well as learned counsel for the State.

In the present case, the petitioner is challenging the order of punishment passed by disciplinary authority which has been affirmed by the Order dated 28.05.1990 whereby and whereunder the petitioner has been demoted from Middle Management Grade Scale-II to Junior Management Grade Scale-I and that order has been affirmed by the Appellate Authority dated 03.12.1999 and finally the reviewing authority has put final seal vide its order dated 20.03.2001, the order passed by the disciplinary authority as well as by the Appellate Authority.

During the period of 1997, the petitioner was holding the post in Middle Management Grade Scale-II. A charge-sheet dated 13.09.1999



was served making eight (8) imputation against the petitioner. The petitioner submitted his explanation which did not satisfy, then the Management asked the petitioner to participate in the departmental enquiry. The Inquiry Officer as well as representing officer was appointed to hold the inquiry properly. Petitioner participated in the enquiry and the Inquiry Officer vide enquiry report dated 31.3.1998 (Annexure-4) submitted his enquiry report found all the 8 charges leveled against them proved, whereafter second show cause dated 03.04.1998 along with the enquiry report was served upon the petitioner. Petitioner filed his explanation, after considering the enquiry report as well as the explanation submitted by the petitioner, the Disciplinary Authority passed the order of punishment vide order dated 28.05.99 whereby the petitioner has been demoted from Middle Management Grade Scale-II to Junior Management Grade Scale-I. Against that, the petitioner filed an Appeal which were rejected vide order dt.03.12.1999 (Annexure-8) affirmed the view taken by the disciplinary authority. The petitioner filed his review application dated 8.1.2000 and the reviewing authority vide its order dated 19.01.2001 (Annexure-11) refused to entertain the application and whereafter against order of Reviewing Authority, the petitioner approached this Court in C.W.J.C. No.11544 of 2000 and raising plea that the order of reviewing authority is completely cryptic order and requires interference. The Court was satisfied with the submission of the counsel for the petitioner set aside the order of Review



Authority and remanded back the matter to the Reviewing Authority who has passed a reasoned order dealing with the merit and arrived to finding neither Disciplinary Authority nor the Appellate Authority having committed any illegality in awarding the punishment to the petitioner.

The counsel for the Banks says that whatever the error was found by the Writ Court with regard to the nature of order passed by the Reviewing Authority which has been rectified by passing a reasoned order. In such view of the matter, this Court does not find any ground for interference by this Court, that too the Bank took lenient view as the charges made against him is of serious nature. This Court does not find any illegality in passing the order by Disciplinary Authority, the Appellate Court as well as Reviewing Authority.

Accordingly, this writ petition is dismissed.

(Shivaji Pandey, J)

Sanjeev/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	
Transmission Date	

