

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7367 of 2014

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Sachchida Nanda Sinha son of Late Sarbani Kumar Sinha resident of 179, SBI, officer's Campus, Mithila Colony, Post- Bataganj, P.S- Danapur, District- Patna.

.... Petitioner/s

Versus

1. The State Bank of India, Corporate Centre, Mumbai, through its Chairperson
2. The Chief General Manager, Local Head Office, Patna
3. The General Manager, Network-1, State Bank of India, Local Head Office, Patna
4. The Deputy General Manager, Vigilance Department, Local Head Office, State Bank of India, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Abhinav Srivastava, Advocate
For the Respondent/s : Mr. S.D. Sajay, Sr. Advocate
Mr. Mohit Agarwal, Advocate
Mrs. Priya Gupta, Advocate

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date: 16-08-2018

Heard learned counsel for the petitioner and the respondent Bank.

2. Leaned counsel for petitioner submits that the allegation against the petitioner was of helping one Rupak Kumar while acting as his Disciplinary Authority.

3. The said Rupak Kumar was finally punished by the Department. Against the order of punishment he approached this Court by filing C.W.J.C. No. 15312 of 2015. Against the order passed in C.W.J.C. No. 15312 of 2015 he approached this Court by filling LPA No. 877 of 2017. The same was disposed off on 16.04.2018. Whereby the Division Bench of this Court has finally set aside the award of punishment of the said Rupak Kumar.

4. It is his submission that there is apparent infirmity and irregularity in the procedure adopted while inflicting the punishment



to the petitioner. He however expresses his hope that in view of the decision in the case of Rupak Kumar passed LPA No. 877 of 2017, the Reviewing Authority may take similar view in the case of the petitioner as the allegation made against the petitioner is unsustainable in view of the fact that punishment of Rupak Kumar has been set aside by the Court. He submits that the petitioner would approach the Reviewing Authority in light of the said development by filing a representation within four weeks.

5. This Court expects that the Reviewing Authority shall give due consideration and dispose off the representation to be filed by the petitioner in light of the decision rendered in LPA No. 877 of 2017 within a period of eight weeks thereafter. The order dated 28.12.2011 shall not stand in the way of the Reviewing Authority to dispose off the petitioner’s representation.

6. Writ petition is disposed off.

(Madhuresh Prasad, J)

Prakash/-

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CAV DATE	
Uploading Date	
Transmission Date	

