

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19212 of 2015

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Aniket Kumar, son of Late Sukhdeo Ram, Resident of Village Madhopur, PS
Maner, District Patna

... .. Petitioner/s

Versus

1. The State Of Bihar through Principal Secretary, Human Resources Development Department, Govt. of Bihar, Patna
2. The Director, Secondary Education, Human Resources Development Department, Govt. of Bihar, Patna
3. The District Magistrate, Patna
4. The District Education Officer, Patna
5. The Deputy Treasury Officer, Danapur
6. The Branch Manager, State Bank of India, Danapur Branch, Patna

... ..Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar
For the Respondent/s : Mr. S.K. Sharma- GA 1

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 03-12-2018 Heard learned counsel for the petitioner, learned counsel appearing for the State as well as learned counsel representing the State Bank of India.

The instant writ petition has been filed for a direction to the Branch Manager, State Bank of India, Danapur Branch to allow the petitioner to operate his bank account. Operation of the bank account of the petitioner maintained in the Danapur Branch of the State Bank of India was stopped in connection with fraudulent transaction.

Learned counsel for the petitioner submits that he is ready to deposit the entire amount deposited in the account of the petitioner for which the petitioner has been put under



suspension subject to departmental proceeding.

Learned counsel appearing for the Bank submits that there is no bar in opening new account. The petitioner may open new account and operate the same and the respondents authorities during the period of suspension may ensure payment of subsistence allowance through such new account. There is no need to issue any direction for operating the bank account which was ceased in connection with fraudulent transaction.

Considering the totality of the fact situation, the Court is not inclined to issue any direction for operation of the existing bank account which will abide by the decision of the departmental proceeding. However, in the meanwhile, the petitioner is granted liberty to approach the Bank for opening a new account and the counsel appearing on behalf of the Bank assures the Court that he will co-operate the petitioner in opening a new account in the Bank so that subsistence allowance payable to the petitioner may be deposited in the new account opened by the petitioner with the State Bank of India, Danapur Branch.

The respondents are hereby directed to ensure payment of subsistence allowance to the petitioner in accordance with law within a period of 15 days from the date of



intimation by the petitioner of opening a new bank account.

With the aforesaid liberty and observation the writ
petition stands disposed of.

(Anil Kumar Upadhyay, J)

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