

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.20422 of 2016

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Premchand, S/o Prakash Chandra, R/o N – 14, Sahyogpuri, Chitragupta Nagar, P.S. Kankarbagh, District – Patna.

.... Petitioner/s

Versus

1. Uttar Bihar Gramin Bank through its Chairman, Head Office- Kalambagh Chowk, P.S. Muzaffarpur Town, District – Muzaffarpur.
2. The Chairman, Uttar Bihar Gramin Bank, Kalambagh Chowk, P.S. Muzaffarpur Town, District – Muzaffarpur.
3. The General Manager, Uttar Bihar Gramin Bank, Kalambagh Chowk, P.S. Muzaffarpur Town, District – Muzaffarpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Surya Swetabh, Adv.
Mr. Om Pakash Singh, Adv.
Mr. Jagjit Roshan, Adv.
For the Respondent/s : Mr. Ajay Kumar Sinha, Adv.

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 01-05-2018

Heard Mr. Surya Swetabh, learned counsel appearing for the petitioner and Mr. Ajay Kumar Sinha, learned counsel appearing for the Bank.

The writ petition was filed for issuance of a writ in the nature of mandamus directing the respondent authorities to restrain from accepting the resignation tendered on 28.07.2016. There are certain other ancillary reliefs accompanying the main relief.

The writ petition was filed on 22.12.2016 and it is during the pendency of the writ petition that the termination order was passed under the signature of the General Manager, Uttar Bihar Gramin Bank on 24.01.2017 which has been placed on



record vide Annexure P/10 to I.A. No. 2509 of 2017. The petitioner seeks leave to question the same in the present proceeding.

While the parties have addressed on the merits/demerits of the termination order in the nature of the resignation submitted, what I find from the proceeding is that an appeal in the form of representation has been filed by the petitioner before the appropriate authority i.e. the Chairman, Uttar Bihar Gramin Bank on 23.02.2017 i.e. within the shortest possible time after issuance of the termination order dated 24.01.2017. A copy of the representation is enclosed at Annexure P/11 to the supplementary affidavit and although it is not exhaustive in nature but considering that the issues have been raised by the petitioner before the Chairman as the appellate authority albeit by way of representation, let the same be treated as appeal and while thus giving liberty to the petitioner to supplement the same by adducing grounds in support thereof by way of supplementary petition, I would direct the Chairman, Uttar Bihar Gramin Bank to consider and dispose of the same in accordance with the law, while giving opportunity of hearing to the petitioner and considering the nature of the dispute raised an expeditious disposal preferably within three months from the date of receipt/production of a copy of the



judgment would serve the purpose.

It is made clear that although learned counsel for the parties have tried to espouse the issue on merits but this Court has refrained from expressing any opinion on the arguments so advanced.

The writ petition as well as the interlocutory application, are disposed of with the directions aforementioned.

(Jyoti Saran, J)

SKPathak/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	04-05-2018
Transmission Date	NA

