

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1548 of 2013
IN
Civil Writ Jurisdiction Case No. 7641 of 2004

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1. The Madhya Bihar Gramin Bank, Head Officer Meena Plaza, South Of Museum, Patna- 1, Through Its Chairman
 2. The Chairman, Madhya Bihar Gramin Bank, Head Office Meena Plaza, South Of Museum, Patna- 1
 3. The Board Of Directors And Appellate Authority Of The Then Nalanda Gramin Bank, Head Office Biharsharif Represented Through The Then Chairman, Null Board Of Directors, Nalanda Gramin Bank, Biharsharfi, District- Nalanda(Biharsharif), Now After Its Merger Through The Chairman, Board Of Directors Of Madhya Bihar Gramin Bank, Head Office Meena Plaza, South Of Museum, Patna-1
 4. The Chairman/Disciplinary Authority, The Then Nalanda Gramin Bank, Earlier Head Office Biharsharif, P.S.- Biharsharif, District- Nalanda (Biharsharif) Now Known As Madhya Bihar Gramin Bank, Head Office Meena Plaza, South Of Museum, Patna- 1
 5. The Senior Manager (Personnel), The Then Nalanda Gramin Bank (Now Known As Madhya Bihar Gramin Bank), Head Office - Biharsharif, P.S.- Biharsharif, District- Nalanda (Biharsharif)
 6. The Manager (Personnel), The Then Nalanda Gramin Bank (Now Known As Madhya Bihar Gramin Bank), Head Office - Biharsharif, P.S.- Biharsharif, District- Nalanda (Biharsharif)
 7. The Then Nalanda Gramin Bank, Earlier Head Office Biharsharif, P.O. & P.S.- Biharsharif, District- Nalanda (Biharsharif) Now Known As Madhya Bihar Gramin Bank, Head Office, Meena Plaza, South Of Museum, Patna- 1 Through Its Chairman

.... Appellants

Versus

1. Mahesh Kumar Sinha Son Of Late Lal Babu Sinha Branch Manager, The Then Nalanda Gramin Bank, Mohalla- Ambair, P.O. & P.S.- Biharsharif, District- Nalanda (Biharsharif), (Now Known As Madhya Bihar Gramin Bank, Biharsharif), District- Nalanda (Biharsharif)
2. Sri R.P. Singh, Enquiry Officer, Then Nalanda Gramin Bank, Biharsharif, P.S.- Biharsharif, District- Nalanda (Biharsharif) Now After Its Merger Known As Madhya Bihar Gramin Bank, Biharsharif, P.S.- Biharsharif, District- Nalanda



(Biharseharif)

.... Respondents

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Appearance :

For the Appellant/s : Mr. Suresh Prasad Singh No. 1, Advocate
Mr. Sanjay Kumar Jha, Advocate
For the Respondent/s : Mr. Birendra Kr. Jha, Advocate
Mr. Sanat Kumar Mishra, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 06-03-2018

Seeking exception to an order dated 23.08.2012

passed by the learned writ court in CWJC No.7641 of 2004, this appeal has been filed by the Bank in question. The only grievance put forth before us today is that once the departmental enquiry was found to be vitiated on procedural irregularity, the Bank was entitled to cause an enquiry into the matter and take action and as if the liberty has not been granted to the Bank the ground canvassed before us during course of hearing was that liberty be granted to the Bank to conduct enquiry.

On the same set of circumstances and facts, another LPA filed by the Bank being LPA No.1512 of 2013 against the respondent employee has been allowed by this Court today by a detailed order passed, and for the grounds and reasons indicated therein, we allow this appeal and dispose it off in terms of the order already passed by us today in LPA



No.1512 of 2013 granting liberty to the Bank to cause the enquiry within a period of three months as indicated by us in the order passed today in LPA No.1512/2013.

(Rajendra Menon, C.J.)

Arvind/Rajeev

(Rajeev Ranjan Prasad, J.)

AFR/NAFR	NAFR
CAV DATE	NA
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Transmission Date	NA

