

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2988 of 2019

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Rity Kumari W/o Amit Kumar resident of 219 F/F Sector-9A, Gurgaon, P.s.-Gurgaon, Haryana-122001 at present residing at Pachana Road, Town-Lakhisarai, P.S. and Distt.-Lakhisarai and presently working as Incharge Headmistress, Sri Rajo Singh Shradha Uchch Vidyalaya Aurey, Block and P.s. and Distt.-Lakhisarai

... .. Petitioner/s

Versus

1. The Central Bank Of India through its Chief Manager, Ground Floor, Chandermukhi, Nariman Point, Mumbai-400021
2. The Chief Manager Central Bank of India, Ground Floor, Chandermukhi, Nariman Point, Mumbai-400021
3. The Zonal Manager Central Bank of India, 2nd Floor, Block B, Maurya Lok Complex, Dak Banglow Road, Patna-800001
4. The Branch Manager Central Bank of India, Naya Bazar, Lakhisarai, Distt.-Lakhisarai, Pin-811311

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Bindeshwar Kumar
For the Respondent/s : Mr.Ajay Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 19-06-2019 Heard learned counsel for the petitioner and the Bank.

Petitioner, in the present case, is seeking a writ of mandamus directing the respondent Bank to substitute the name of the petitioner in place of Sri Anil Kumar Sharma in the account of Sri Rajo Singh Shradha High School, Aure, District Lakhisarai bearing Subsidy Fund A/C No.3072707661 and Chhatra Kosh A/C No.3072706816 and further to allow her to use the aforesaid two accounts.

Learned counsel for the petitioner submits that the



petitioner is presently working as in-charge headmaster of the high school. It is submitted that there was a dispute between the petitioner and another group of teachers headed by one Sri Birendra Kumar. Sri Birendra Kumar who was working as assistant teacher in the same school had been authorized to act as in-charge headmaster of the school vide memo no. 1233 dated 11.09.2018 issued by the Regional Deputy Director of Education, Munger Division, Munger. The petitioner has challenged the said order of the Regional Deputy Director of Education, Munger Division, Munger by filing a writ application being CWJC No.19548 of 2018 which is pending consideration till date. It is stated that vide Annexure-7 to the writ application, which is a copy of the order dated 10.10.2018 passed by a learned coordinate Bench of this Court in CWJC No.19548 of 2018, the operation of the order dated 11.09.2018 passed by the Regional Deputy Director of Education, Munger Division, Munger has been stayed till the next date of hearing. It is submitted that in the given circumstance once the authorization given to Birendra Kumar to act as in-charge headmaster has been stayed by this Court and the petitioner is presently discharging the duties of the in-charge headmaster of the school, there is no reason as to why the Bank will not



incorporate her name in the account as acting headmaster and shall not allow her to operate the account. It is submitted that in this regard she has submitted a request vide Annexure-8 to the writ application with the Bank (respondent no.4) which is not being considered.

Learned counsel for the Bank submits that there was a dispute between the two group of teachers is not in dispute, however the facts stated in the application as contained in Annexure-8 saying that now there is a compromise and the petitioner has been made in-charge headmaster may be looked into and considered with an intention to find out the truth and in case it is found that the petitioner is working as in-charge headmaster, the bank will consider her request to incorporate her name.

In the given facts and circumstances of the case, this writ application is being disposed off with a direction to the Bank (respondent no.4) to consider the request of the petitioner in the light of the submissions made by the petitioner in her request letter to the Bank, examine the same and after calling for relevant information, if so required, from the competent authority, the Bank must take a final decision in the matter within a period of one month from the date of receipt/production



of a copy of this order.

The petitioner has informed this Court that because of the hindrance created by the Bank, the teaching and non-teaching staff of the school are not getting their salary. This aspect of the matter will be kept in mind by the authorities of the Bank as well as all concerned who still cooperate with the Bank in finding out the ways and resolution of the dispute.

The writ application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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