

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4890 of 2019

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Suresh Shukla Son of Late Ram Nagina Shukla Village-Fatehpur, P.S.
Didarganj, District-Patna

... .. Petitioner/s

Versus

1. The State Bank of India through its Chairman and Ors Corporate Office,
Mumbai
2. The Chief General Manager State Bank of India, West Gandhi Maidan,
Police Station Kotwali, District Patna
3. The Deputy General Manager Zonal Office, State Bank of India, Judges
Court Road, Police Station Pirbahore, District Patna
4. The Assistant General Manager (PPG) Region - II, Zonal Office State Bank
of India, Judges Court Road, Police Station Pirbahore, District Patna
5. The Regional Manager Region - III, state bank of India, Administrative
Office, Bank of Bihar Building, Judges Court Road, Police Station
Pirbahore, District Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar
For the Respondent/s : Mr.Kaushlendra Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 01-04-2019

Heard the learned counsel for the petitioner and the

State.

The petitioner, who served as Assistant in State Bank
of India, was put to departmental proceeding in the year 1995
and was dismissed by the disciplinary authority by order dated
07.06.2000. The appeal against the order of dismissal was
also dismissed on 11.01.2001. The petitioner challenged the



order of dismissal as also the appellate order vide C.W.J.C. No. 1407 of 2002 which was dismissed on 04.07.2003. The L.P.A., bearing, L.P.A. No. 707 of 2003, preferred against the order of dismissal of the writ petition of the petitioner, also met the same fate by order dated 08.03.2006.

It may be noted that simultaneously with the departmental proceeding, a criminal case also was lodged against the petitioner in the year 1995 for the lapses on his part while performing his duties as a Cashier in the Bank. The aforesaid case went in trial and because of paucity of evidence, the petitioner was acquitted by judgement and order dated 12.07.2016.

Thereafter, the petitioner made a representation before the concerned respondent seeking review of the earlier order of dismissal on the ground of acquittal in a regular trial held by a criminal court when the charges in the departmental proceeding and the trial were almost identical. By order dated 18.10.2016, the concerned respondent, after recording reasons, has rejected such a request of the petitioner on the ground that the petitioner was dismissed after a full-fledged



departmental proceeding which was altogether a separate proceeding. Mere acquittal on the ground of paucity of evidence after 16 years of the passing of the order of dismissal could not be a ground for reviewing such order.

This Court find no anomaly with the order dated 18.10.2016. The prayer made on behalf of the petitioner, therefore, does not appear to be at all tenable.

Finding no merits in the petition the same is dismissed.

However, considering the circumstances that the petitioner has been dismissed from service a long time back, this Court does not order for any cost.

(Ashutosh Kumar, J)

skm/-

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