

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13176 of 2012

Sanjay Kumar Verma, son of late Umesh Prasad Verma, resident of Anand Gharana, Flat No. 103, South Church Road, Police Station- Civil Lines, District- Gaya.

... .. Petitioner

Versus

1. The Punjab National Bank through General Manager, Circle Office, Gaya.
2. The Deputy General Manager, Circle Office, Punjab National Bank, Gaya.
3. Chief Manager, Circle Office, Punjab National Bank, Gaya.
4. Assistant General Manager, Circle Office, Punjab National Bank, Gaya.
5. The Branch Manager, Punjab National Bank, Eroo Branch, P.S.- Wazirganj, District- Gaya.

... .. Respondents

Appearance :

For the Petitioner/s	:	Mr. Shekhar Singh, Advocate Mr. Shree Nivas Madhuvan, Advocate
For the Respondent/s	:	Mr. M.N. Parbat, Sr. Advocate

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL JUDGMENT

Date : 09-05-2019

Heard learned counsel for the petitioner and
learned counsel for the Bank.

2. In this case, the petitioner is challenging the order of punishment dated 20.12.2010 passed by the Chief Manager, Punjab National Bank, Circle Office, Gaya, whereby and whereunder the petitioner has been dismissed from service without notice. Against the said order, the petitioner filed an appeal, which has also been dismissed by the Appellate Authority -cum- Deputy General Manager, Punjab National Bank, Circle Office, Gaya, vide order dated 11.05.2011.

3. The petitioner was working as Clerk in the Punjab



National Bank, has a privilege of access to every details including the bank accounts of the customers, he was given password to enter into every details through computer. It was found that the petitioner has debited huge amount from the customers' accounts and credited the same to his account, led to initiation of proceeding against him. Ultimately, charge-sheet was served upon him, in which the details of misconduct having been stated. The petitioner filed reply, whereafter, a proper proceeding was initiated, he was given the opportunity to engage his defence assistant. On two occasions, he had given the name of different defence assistants, but they have refused to represent the present petitioner and later on, he walked away from the proceeding, ultimately, ex-parte proceeding was conducted. The Inquiry Officer submitted Inquiry report, in which charges were found proved.

4. Learned counsel for the petitioner submits that the petitioner had demanded certain documents, as has been mentioned in paragraph no.19 of the writ petition, but the same were not supplied to him, causing great prejudice.

5. The Court has asked a question as to whether those documents were taken into consideration by the Inquiry Officer, but learned counsel for the petitioner is not in a position to point



out that those documents were taken into consideration by the Inquiry Officer. Admittedly, along with the charge-sheet the list of documents was attached, was handed over to the petitioner, he was given the opportunity to engage his defence assistant and on different occasions, he has given the name of different defence assistants, but they refused to represent him, now he cannot blame the Bank that documents were not supplied when he himself walked away from the proceeding. Further, the allegations are so serious that he, on different dates, has debited huge amount from the customers' accounts and credited the same to his account.

6. Learned counsel for the petitioner further submits that the punishment is not based upon the reasons. However, the gravity of the charge, which has been proved is so serious, itself gives the reason for dismissal of the petitioner.

7. In such view of the matter, this Court does not find any merit in this writ petitioner, accordingly, the same is dismissed.

(Shivaji Pandey, J)

pawan/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A.
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