

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1387 of 2017
In
Civil Writ Jurisdiction Case No.2082 of 2016

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Rabindra Nath Son of Late Krishna Deo Pandit Resident of A-9 Snehi Path,
West Patel Nagar, P.O. and Police Station- Shastri Nagar, District-Patna

... .. Petitioner/s

Versus

1. Sri I. M. Utereja, the Chairman, Uttar Bihar Gramin Bank, Muzaffarpur and Ors Bihar
2. Sri I.M. Utereja, the Director-Cum-Appellate-Authority, Uttar Bihar Gramin Bank, Muzaffarpur
3. Sri D.S. Shaligram, the General Manager, Uttar Bihar Gramin Bank, Muzaffarpur Bihar.
4. Sri S.P. Jaiswal, the Regional Manager, Uttar Bihar Gramin Bank, Siwan Bihar
5. Sri Binod Kumar, the Regional Manager, Uttar Bihar Gramin Bank, Saran at Chapra. Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Bindhyachal Singh, Adv. Mr. Ram Binod Singh, Adv.
For the Opposite Party/s	:	Mr. Prashant Ved Sen, Adv. Mr. Prabhakar Jha, Adv.

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL JUDGMENT

Date : 27-02-2019

Heard Mr. Bindhyachal Singh learned counsel for the petitioner and Mr. Prashant Ved Sen for the respondent.

The writ petition was allowed after quashing of the order of punishment, followed by reinstatement with all consequential benefits. The respondent- Bank went in appeal



before the Division Bench of this Court giving rise to L.P.A. No.761 of 2017 which was dismissed on 08.08.2017. Yet not being satisfied that Special Leave Petition was preferred giving rise to S.L.P.(Civil)No. 23062 of 2017 in which leave was granted and the civil appeal was disposed of without interfering with the order of reinstatement but by quantifying back wages to the extent of Rs. 10 lacs and also allowing continuity of service to the petitioner by adding the break period of 56 months. According to Mr. Bindhyachal Singh, once the petitioner has been reinstated and has been allowed continuity until the Supreme Court he becomes entitled to the other service benefits viz seniority, consideration for promotion etc. which has not been considered under the cover of pendency of the Special Leave Petition before the Supreme Court.

In my opinion that the matter has culminated in the order of the Supreme Court in the Special Leave Petition so preferred by the Bank and the Supreme Court while not interfering with the order of reinstatement passed by this Court has allowed continuity of service to the petitioner, in case by virtue of grant of such continuity in service, the petitioner is entitled to any further service benefit(s) as claimed by him, he would be at liberty to raise such claim before the appropriate authority who shall consider and dispose of the same in accordance with law preferably within 3



months of its filing. No cause for contempt is made out, the contempt application is accordingly disposed of.

(Jyoti Saran, J)

Bibhash

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