

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.14621 of 2019

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Santosh Kumar Gupta @ Santosh Gupta @ Santosh Kumar, aged about 37 years, male, Son of Murari Prasad Gupta, Resident of Village- Sikandara, Police Station- Sikandara, District- Jamui.

... .. Petitioner/s

Versus

1. The Bihar Kshetriye Gramin Bank through the Chairman, Head Office, Begusarai, Bihar.
2. The G.M., Bihar Kshetriye Gramin Bank, Head Office, Begusarai, Bihar.
3. The Branch Manager, Bihar Gramin Bank, Sikandra Branch, District-Jamui.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Amrendra Kumar, Adv.

For the Bank : Mr. Ranjeet Kumar Pandey, Adv.

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL JUDGMENT

Date : 24-07-2019

Heard the counsel for the petitioner and the respondents.

2. The petitioner had approached this Court earlier being aggrieved by the fact that he has been removed from service of Peon by the respondents/Bihar Kshetriya Gramin Bank. A Bench of this Court vide order dated 04.04.2018, passed in C.W.J.C. No. 5568



of 2017, directed the petitioner to make a representation before the Assistant General Manager, Bihar Kshetriya Gramin Bank, Begusarai for redressal of his grievances.

3. Pursuant to the aforesaid direction, the petitioner made a representation before the concerned respondent, who, *vide* order dated 25.03.2019, has rejected the claim of the petitioner.

4. From the perusal of the aforesaid order dated 25.03.2019, it appears that the petitioner could not furnish any document indicating that he was appointed even on daily-wages. All that the petitioner has shown to the authorities concerned are the payments vouchers. It further appears that since 2001, whenever there was a need, the services of the petitioner as a daily-wage employee was taken by the Bank concerned and for which he was paid. The relevant records, which were perused by the concerned respondent/Bank revealed clearly that for the period that the petitioner had worked seasonally/provisionally,



he was paid for the same.

5. There is no record of petitioner working against any post and therefore there was no substance in the submission of the petitioner that his services were illegally/unauthorizedly terminated.

6. For the aforesaid reasons, the prayer made on behalf of the petitioner for reinstating him on the post of Peon also was not acceded to.

7. This Court finds that for cogent and good reasons, the prayer of the petitioner has been rejected. No interference can be made with the order impugned in the present petition.

8. However, this Court, keeping in mind the financial status of the petitioner, is inclined to observe that in case any requirement is felt by the concerned respondent/Bank for engaging Peons, the candidature of the petitioner be considered as he served the concerned respondent/Bank for eighteen long years.

9. With the aforesaid observation/direction,



the writ petition stands disposed off.

(Ashutosh Kumar, J)

Praveen-II/-

AFR/NAFR	NAFR
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