

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.940 of 2017

Arising out of

Miscellaneous Jurisdiction Case No.2279 of 2002

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1. Ram Lakhan Prasad S/o Ganauri Gope, R/o Village- Dharampur, P.S.- Ekangarsarai, District- Nalanda.
 2. Mahendra Prasad, S/o Bihaspati Jamadar, R/o Village- Horil Bagh, P.S.- Noor Sarai, District- Nalanda.
 3. Birendra Prasad, S/o Sri Bansropan Prasad, R/o Village- Munupur Jahangir, P.S.- Dorigans, District- Saran Chapra.
 4. Vijay Kumar, S/o Sri Parshadi Mahto, R/o Village- Parthu, P.S.- Ekangarsarai, District- Nalanda.

... .. Petitioner/s

Versus

1. Sri Mohan V. Tanksel, The General Mohanpur, Central Bank Of India and Ors
2. Sri Subhash Prasad Singh, the Zonal Manager, Central Bank of India, Maurya Lok Complex, 2nd Floor, Patna
3. Sri Yogendra Prasad Sinha, Chief Manager Personal Central Bank of India, Maurya Lock Complex, 2nd Floor, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharendra Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Ajay Kumar Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 23-08-2019

Heard learned counsel for the petitioners and Mr. Ajay Kumar Sinha, learned counsel for the Central Bank of India (hereinafter referred to as the 'Bank').

2. Learned counsel for the Bank seeks permission to delete paragraphs no. 14 and 18 of the show cause filed by him today. Permission granted. Let necessary correction be made during the course of the day.



3. In terms of order dated 16.07.2019, the Zonal Manager of the Bank at Patna and the Chief Manager (Personnel) are present.

4. Show cause has been filed on behalf of the opposite parties in which the stand is that the panel of the year 1991-92 is not traceable in the records of the Bank and efforts are on to locate the same.

5. Learned counsel for the Bank drew the attention of the Court to orders passed in MJC No. 2279 of 2002; MJC No. 388 of 2013 and MJC No. 2865 of 2013 in which basically the application had been disposed off observing that no sooner the panel is traced out, appointments shall be made from the said panel.

6. Learned counsel for the Bank submitted that the Rural Manager of the Bank is making an internal enquiry. He further submitted that there were three petitioners in the original CWJC No. 212 of 1997 which had been disposed off by order dated 24.02.1998 with a direction to the Bank to appoint the petitioners in future vacancies in order of their placement in the merit list of general category candidates after exhausting the working list and no future appointment was to be made unless the list as prepared



by the Bank is exhausted. It was submitted that in the present case even the working list has not been exhausted.

7. Having considered the aforesaid, the Court finds that there is no contempt committed by the Bank and its officers as the petitioners cannot claim any appointment when still the working list has not yet been exhausted and further till the time the panel is located, so as to ascertain whether the petitioners were in the said panel, and if so at what position.

8. Accordingly, the application stands disposed off.

9. The Court would only observe that as long as the Bank is making appointment in terms of the working list first and then would be moving to the panel, upon it being traced, it shall be in accordance with the directions of the Writ Court.

10. Personal appearance of the officers stands dispensed with.

(Ahsanuddin Amanullah, J)

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