

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11538 of 2019

Vikash Kumar Son of Sri Kehsarai Singh, Resident of Rampur (Devasthan),
P.O. and P.S. Khagaul, District- Patna.

... .. Petitioner

Versus

1. The State of Bihar through Registrar, Co-operative Societies, Bihar, Patna.
2. The Central Co-Operative Bank Limited, having its Head Office at Ara through its Managing Director.
3. The Managing Director of The Central Co-Operative Bank Limited, Head Office, Ara.

... .. Respondents

Appearance :

For the Petitioner	:	Mr. Sunil Kumar Singh, Advocate Mr. Md. Azimuddin, Advocate Mr. Ranvijay Singh, Advocate Mr. Chandan Jha, Advocate
For the Respondent State:		Mr. Himanshu Kumar Akela, AC to PAAG-2
For the Ara Bank	:	Mr. Bindhyachal Rai, Advocate

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 24-10-2019 A departmental proceeding has been initiated against the petitioner, who is presently under suspension. The framing of charges itself has been challenged on the ground that they do not constitute misconduct and are self-contradictory. I.A. No. 1 of 2019 has been filed seeking amendment to question the order, whereby the petitioner has been put under suspension.

Learned counsel appearing on behalf of the petitioner has submitted that the petitioner is not being paid his subsistence allowance and, therefore, he is finding it difficult to defend himself in the departmental proceeding effectively.

Learned counsel appearing on behalf of the



respondent Bank, on the other hand, has submitted that the petitioner has so far not cooperated in the departmental proceeding and has very recently submitted his written statement of defence on 18.09.2019.

Considering the facts and circumstances of the case, this writ application is disposed of with a direction that let the disciplinary proceeding against the petitioner be concluded within three months from the date of receipt/production of a copy of this order.

Learned counsel appearing on behalf of the petitioner has submitted that the petitioner shall cooperate in expeditious conclusion of the departmental enquiry. It is indicated that if the petitioner does not cooperate in the departmental enquiry by keeping himself away from the proceeding, the Bank shall be at liberty to proceed accordingly. In case the departmental proceeding is not concluded within three months, as directed, without any fault on the part of the petitioner, the order of suspension shall stand revoked. The respondents shall be required to ensure that the petitioner is paid his subsistence allowance to the extent he is entitled to within two weeks from the date of receipt/production of a copy of this order.

(Chakradhari Sharan Singh, J)

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