

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19531 of 2019

=====

Narayan Guha alias Narayan Kumar Guha, Son of Late- Chinmay Guha,
Resident of near Sudhin Chauk, Tatma Toli, Maranga, Purv Panchyat at P.S.
and District- Purnea- 854301.

... .. Petitioner/s

Versus

1. The Central Bank of Bihar Through the Managing Director-cum- Chief Executive Officer, Chander Mukhi, Nariman Point, Mumbai, Maharastra- 800021.
2. The Regional Manager Regional Office of the Central Bank of India, Bhatta Bazar, Purnea- 854301.
3. The Senior Manager HRD, Central Bank of India, Regional Office, Bhatta Bazar, Purnea- 854301.
4. The Chief Manager-cum- Disciplinary Authority Regional Office of the Central Bank of India, Bhatta Bazar, Purnea- 854301.
5. The Branch Manager Central Bank of India, Mahadeopur Branch, Purnea.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Alok Kumar Sinha, Sr. Advocate Mr. Bhola Kumar, Advocate Mr. Ashish Sinha, Advocate
For the Respondent/s	:	Mr. Ajay Kumar Sinha, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 05-11-2019 Heard learned counsel for the parties.

2. By an order dated 14.01.2014, passed by the Disciplinary Authority, punishment of compulsory retirement with superannuation benefits came to be imposed on the petitioner, who was, at the relevant point of time, working as Special Assistant in a branch under Central Bank of India. He had questioned the correctness of the said punishment order by filing a writ application before this Court, which was disposed



of giving the petitioner liberty to prefer an appeal. The appeal was, in fact, disposed of much before passing of the order dated 20.12.2018 by this Court in CWJC No. 17946 of 2015 (Narayan Kumar Guha vs. The Central Bank of India & Ors.).

3. It is evident from the order of this Court dated 20.12.2018, as noted above, that the appellate order dated 29.04.2014 was not challenged by the petitioner in CWJC No. 17946 of 2015, rather it was not brought to the notice of this Court that the petitioner had preferred an appeal, which was already dismissed. It was in that background that the petitioner was required to file an appeal before the Regional Manager, Purnea and the appellate authority was directed to consider the petitioner's case on merit.

4. Learned Senior Counsel appearing on behalf of the petitioner has submitted that it was out of mistake that the fact of disposal of appeal by order dated 29.04.2014 was not brought to the notice of this Court at the time of disposal of CWJC No. 17946 of 2015 on 20.12.2018.

5. The order of the appellate authority dated 29.04.2014 is now being challenged in the present writ application. I find it difficult to entertain this application once the petitioner failed to question the order of the appellate



authority in earlier round of litigation for any reason whatsoever.

6. Learned Senior Counsel for the petitioner states that he may be permitted to seek review of the order of this Court dated 20.12.2018.

7. I need not comment on such prayer made on behalf of the petitioner in the present order. This writ petition, in my view, cannot be entertained in the background of the facts noted above and is accordingly dismissed.

(Chakradhari Sharan Singh, J)

Rajesh/-

U			
---	--	--	--

