

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.101 of 2002

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Ramnath Singh @ Ram Nath Singh, son of late Dhanushdhari Prasad Singh,
resident of Mohalla-New Chandmari, P.S. -Motihari, District-East Champaran

... .. Appellant/s

Versus

1. Uttar Bihar Gramin Bank, through its Chairman, Head Office at Muzaffarpur.
2. The Board of Directors, Uttar Bihar Gramin Bank, Head Office at Muzaffarpur.
3. Senior Administrator, Uttar Bihar Gramin Bank, Head Office at Muzaffarpur.
4. Shri Gopal Rai, S/o (Name of father not known), the Branch Manager at present Functioning in Raghunathpur (Balua) Branch, Uttar Bihar Gramin Bank, Motihari.

... .. Respondent/s

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with
Letters Patent Appeal No. 133 of 2002

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Jai Narayan Prasad Rai, son of late Babuanand Prasad Rai, Resident of
Village Dubaha, Via Adapur, P.S. Darpa, District-East Champaran

... .. Appellant/s

Versus

1. The Uttar Bihar Gramin Bank, through its Chairman, Head Office , Muzaffarpur.
2. The Board of Directors, Uttar Bihar Gramin Bank, Head Office, Muzaffarpur.

... .. Respondent/s

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Appearance :

(In Letters Patent Appeal No. 101 of 2002)

For the Appellant/s :



For the Respondent/s : Mr.Ajay Kumar Sinha, Advocate

(In Letters Patent Appeal No. 133 of 2002)

For the Appellant/s :

For the Respondent/s : Mr.Ajay Kumar Sinha, Advocate

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**CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)**

Date : 10-12-2020

Letters Patent Appeal No. 101 of 2002 titled as Ramnath Singh vs. Uttar Bihar Gramin Bank has been preferred against the judgment dated 19.12.2001 passed by a learned Single Judge of this Court in CWJC No. 15783 of 2001 and Letters Patent Appeal No. 133 of 2002 titled as Jai Narayan Prasad Rai vs the Uttar Bihar Gramin Bank has been preferred against the judgment dated 13.12.2001 passed in CWJC No. 15573 of 2001 titled as Basant Prasad Sharma and Anr. vs. the Champaran Kshetriya Gramin Bank and Ors.

On 15th of April, 2010, this Court had passed the following order:

“We are informed that Civil Appeal No. 8612 of 2002 arising out of LPA No. 342 of 2001 deciding a similar issue by a Division Bench of this Court is pending before the Supreme Court.

We consider it proper to direct that these cases be placed for hearing at the top of the list no



sooner that the Counsels for the parties inform that the appeal pending before the Supreme Court has been disposed off.

The Supreme Court Section of this Court is also directed to act accordingly.”

Awaiting the outcome of the decision in the matter pending before the Hon’ble Apex Court, the present appeal, preferred in the year 2002, could not be listed.

However, by way of a special drive, this Court, during the time of current Pandemic [Covid-19], listed all old matters of different categories for hearing.

As such, the matter was listed in the Daily Cause List and taken up on 13th of November, 2020 when the following order was passed:

“Matter pertains to the year 2002. As such, by way of a special drive to take up old matters, the same stands listed.

Despite repeated calls and link sent to the learned counsel, none has entered appearance.

In the interest of justice, matter is adjourned.

List on 7th of December, 2020.”

Today also, none has entered appearance on behalf of the appellants, despite the link for hearing, through virtual mode, sent to them.

It is seen that Hon’ble the Apex Court vide order dated 16th of April, 2014 has dismissed **Civil Appeal No. 8612**



of 2002, titled as **Binda Sah and others Vs. Board of Directors, S.K.G. Bank and another**. Resultantly, the order passed by the Hon'ble Apex Court does not, in any manner, advance the case of the present appellants.

The learned Single Judge, rejected the petitioners' case as prayed for in the writ petition, holding the action initiated by the respondent Bank for initiating the process of selection vide order dated 23rd of November, 2001/ 28th of November, 2001/ 29th of November, 2001 to be absolutely in consonance with the statutory provisions and the law of the land.

The writ-petitioners could only score 5.8/6.40 out of 20 marks. They were found to be ineligible for being considered for promotion in the ratio of 1/3, in view of the limited number of available posts.

We do not find the reasoning adopted by the learned Single Judge in dismissing the writ petition to be perverse, or illegal. The reasoning adopted, cannot be said to be erroneous, in any manner.

At this juncture, learned counsel for the respondent-Bank points out that the appellants, with the passage of time, may have lost interest in the matter, reason prompting the



appellants not to be pursuing the matter before this Court.
Petitioner No. 1 namely Ramnath Singh @ Ram Nath Sing has
since retired on 31st of July, 2005 and another person namely Jai
Narayan Prasad Rai has since retired with effect from 31st of
July, 2011.

In view of the above, both the Letters Patent Appeals
stand dismissed.

Interlocutory Application(s), if any, shall stand
disposed of.

(Sanjay Karol, CJ)

(Prabhat Kumar Singh, J)

Ashwini/-

AFR/NAFR	
CAV DATE	
Uploading Date	14.12.2020
Transmission Date	

