

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18232 of 2018

=====

Satish Chandra Verma Son of Late Ishwar Chandra Prasad, resident of Mohalla- Ashok Nagar, Road No.- 5, P.O.- Lohianagar, P.S. Kankarbagh, District- Patna.

... .. Petitioner/s

Versus

1. The Chairman Cum Managing Director, National Insurance Company Limited and Ors
2. The General Manager Personnel, National Insurance Company Limited, Head Office, 3 Middleton Street
3. The Chief Regional Manager, National Insurance Company Limited, Regional Office- 2, Kolkata, Nation
4. The Senior Divisional Manager, National Insurance Company Ltd. Patna Division No. 1, Exhibition Ro
5. The Chief Regional Manager, National Insurance Company Limited, Patna Regional Office, 4th Floor, S
6. The Branch Manager, National Insurance Company Ltd., Kankarbagh Branch, Patna.
7. The Branch Manager, National Insurance Company Limited, Balurghat Branch West Bengal, Chandrara Jag

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Prashant Sinha, Advocate
For the Respondent/s : Mr. Rupak Kumar, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT

Date : 09-12-2021

Heard learned counsels for respective parties.

In the instant petition, petitioner has prayed for the following reliefs:-

“(i) For issuance of writ in the nature of certiorari for quashing of the order dated 25-04-2017 passed by the Chief Regional Manager and the Disciplinary Authority, Regional Office, Patna of National Insurance Company Ltd. as contained in letter No.



150703/PERS/SA/CKM/1 dated 02-05-2017 whereby the petitioner has been awarded with a punishment of reversion to the cadre of Assistant from Senior Assistant with basic pay to the minimum of the scale.

(ii) For issuance of writ in the nature of certiorari for quashing of the enquiry report dated 17-02-2017 whereby the charges against the petitioner have been proved without providing the required documents to the petitioner.

(iii) For necessary direction upon the respondent authorities to pay all the consequential benefits pursuant to setting-aside of the said punishment order.

(iv) For necessary direction upon the respondent authorities to pay the salary due to the petitioner since January, 2017 till 13 January, 2018 by treating him in medical leave as the petitioner has already produced the relevant documents regarding his medical condition to the respondent authorities.

(v) For necessary direction upon the respondent authorities to accept the joining of the petitioner on the post of Assistant in terms of the punishment order dated 25-04-2017 w.e.f. 13-01-2018 and pay the salary due to the petitioner, without any prejudice to his right to challenge the order of punishment, because the petitioner has not been allowed to join even on the reverted post of Assistant.”



(vi) For any other direction, which your Lordships may deem fit and proper in the facts and circumstances of the case.”

Petitioner was subjected to disciplinary proceedings. In one of the disciplinary proceedings he was reverted from Senior Assistant to Assistant and further in another disciplinary proceedings he was dismissed from proceeding. As against dismissal order he has preferred an appeal and it is pending consideration in so far as reversion order is concerned. Petitioner has approached this Court without exhausting the remedy of appeal, therefore, petitioner is hereby directed to file an appeal against the reversion order. The appellate authority is hereby directed to decide the petitioner’s memorandum of appeal within a period of six months from the date of receipt of memorandum of appeal to be submitted.

With the aforesaid observations, the writ petition stands disposed off.

(P. B. Bajanthri, J)

Vikash/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	
Transmission Date	N/A

