

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10483 of 2020

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Rakesh Kumar, Son of Sri Basistha Narain Singh, Resident of Village-Piro,
P.S.-Garaul, District- Vaishali.

... .. Petitioner/s

Versus

1. The Canara Bank through its Chairman cum Managing Director, Head Office 112 J.C. Road Bangalore, Pin- 560002
2. The General Manager, Canara Bank, Head Office 112 J.C. Road Bangalore, Pin- 560002.
3. The Deputy General Manager, Canara Bank, Circle Office, Exhibition Road, Patna, Pin- 800001.
4. The Branch Manager, Canara Bank Purnea Branch, Purnea, Pin- 854301.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Krishna Chandra, Advocate
For the Respondent/s : Mr. Jitendra Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 21-07-2022 Heard learned counsel for the petitioner and learned
counsel for the respondent-Bank.

The petitioner is aggrieved by the order passed by the disciplinary authority on 17.01.2020 awarding him the punishment of dismissal.

It is his submission that in terms of the order passed by this Court in C.W.J.C. No.12629 of 2005, the authority was required to reconsider. Reconsideration is not manifest from the order.

Having submitted so, it is prayed that the petitioner may be permitted to avail the remedy of appeal against the said



order.

Learned counsel for the respondent-Bank has also raised an objection that the petitioner has not availed the remedy of appeal against the order of the disciplinary authority, which has been passed after re-consideration on the point of quantum of punishment pursuant to directions passed on the petitioner's earlier writ petition, bearing CWJC No.12629 of 2019. He has directly approached this Court by filing the instant writ petition without exhausting the alternative remedy.

In view of the aforesaid position, this Court would dispose of the matter with liberty to the petitioner to avail the remedy of appeal. The delay which may have occurred on account of pendency of the instant proceedings would not stand in the way of consideration of the appeal filed by the petitioner. Let the authorities consider the appeal, on its merits, if filed within two weeks.

(Madhuresh Prasad, J)

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