

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19432 of 2018

Ramadhar Singh son of Late Ramkishun Singh, resident of Mohalla- Ambika Nagar, P.S.- Bangaria, District- East Champaran Motihari superannuated Officer Scale II Branch Manager Sansariya Branch Regional Officer Bettiah, District- West Champaran.

... .. Petitioner/s

Versus

1. The Board Of Directors Uttar Bihar Gramin Bank Muzaffarpur cum Appellate Authority.
2. The Chairman cum Disciplinary Authority Uttar Bihar Gramin Bank, Head Office Kalambagh Road, Chauck, Muzaffarpur, Bihar.
3. The Inquiry Officer Uttar Bihar Gramin Bank, Head Office Kalambagh Road Chauck, Muzaffarpur.
4. The General Manager Uttar Bihar Gramin Bank, Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan, Advocate
For the Respondent/s : Mr.Prabhakar Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4. 02-01-2023 This writ application has been filed against the order dated 10.07.2018, communicated through HO/DAD/11/18-19/No.136 by the General Manager, Uttar Bihar Gramin Bank, Muzaffarpur (hereinafter referred to as “Bank”), whereby and whereunder the appeal preferred by the petitioner has been rejected, as the same was filed after a lapse of stipulated time of 45 days, which is not considerable in terms of regulation 49 of Uttar Bihar Gramin Bank (Officers & Employees) Service Regulation, 2010 r/w Uttar Bihar Gramin Bank Service (Amendment) Regulation, 2013 (Annexure 8 to the writ petition).

Learned counsel for the petitioner submits that the



appeal, preferred by the petitioner, has not been considered on merit, rather the same has been dismissed on technical ground. He further submits that due to ailments and surgery, the petitioner could not come to know about the dismissal order of the disciplinary authority and as such, could not file the appeal on time.

Learned counsel for the respondent/Bank vehemently opposes the prayer made in the writ petition and submits that the appeal has been rightly dismissed by the authority concerned in terms of regulation 49 of Uttar Bihar Gramin Bank (Officers & Employees) Service Regulation, 2010, as the appeal was preferred after a lapse of more than three years.

Considering the submissions made on behalf of the parties and the materials available on record, it is an admitted position that the appeal, preferred by the petitioner, has not been decided on merit, rather the same stood dismissed on the ground of limitation.

In view of reasons assigned by the petitioner for filing delayed appeal, the writ petition is allowed and impugned order dated 10.07.2018 (Annexure 8) is quashed with a direction to the Board of Directors of the Bank / competent authority to consider the appeal of the petitioner on merit. If the petitioner



files an appeal before the competent authority within a period of four weeks from today, the competent authority, without being prejudiced, shall consider the same and pass appropriate order in accordance with law.

(Prabhat Kumar Singh, J)

anay/-

U			
---	--	--	--

