

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7030 of 2016

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Shashidhar Thakur Son of Late Dinkar Thakur resident of At and P.O.
Bangaon South , P.S. Bangaon, District - Saharsa

... .. Petitioner/s

Versus

1. The Uttar Bihar Gramin Bank
2. The Chairman - cum - Disciplinary Authority, Uttar Bihar Gramin Bank,
Head Office, Kalambagh Chowk,
3. The General Manager, Uttar Bihar Gramin Bank, Head Office, Kalambagh
Chowk, Muzaffarpur, Bihar
4. The Regional Manager, Uttar Bihar Gramin Bank, Regional office, Saharsa
5. The Branch Manager, Uttar Bihar Gramin Bank, Rajanpur Branch, Saharsa

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Md. Nazir Ansari, Advocate
For the Respondent/s	:	Mr.Prabhakar Jha, Advocate
		Mr. Prashant Vedasen, Advocate
		Mr. Pawan Kumar, Advocate
		Mr. A. Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 12-10-2023 The present writ petition has been filed
seeking the following reliefs:-

*“1. (i) For issuance of a writ of Certiorari
or any other appropriate writ, order or
direction quashing the order contained in
order no. HO/DAD/08/15-16/ 647 dated
7th January 2016 issued under the
signature of the Chairman-cum-
Disciplinary Authority (Respondent No.2),
whereby and whereunder the petitioner
has been illegally dismissed from service*



one year after his superannuation and also for quashing the Administrative order bearing no. HO/DAD/08/15-16/648 dated 7th January 2016 issued under the signature of the General Manager (Respondent no.3) by which the petitioner has been communicated that he has been awarded the penalty of "Dismissal from Bank's Service in terms of Regulation 39 (1) (b) (v) of Uttar Bihar Gramin Bank (Officers & Employees) Service Regulation 2010;

(ii) For issuance of an appropriate writ, order or direction declaring the order dated 7th January 2016 as contained in Annexure-1 as without jurisdiction and non-est in the eye of law and further holding that the aforesaid order dated 7th January 2016 can not be made effective against the petitioner in the facts and circumstances of the case;

(iii) For issuance of a writ of Mandamus or any other appropriate writ, order or direction commanding the respondents to pay the consequential benefits to the petitioner;"

2. At the outset, the learned counsel for the



petitioner seeks liberty on behalf of the petitioner to challenge the order of punishment of dismissal from service, by filing appropriate appeal. Liberty, so sought, is granted.

3. It is needless to state that in case appropriate appeal is filed within a period of four weeks from today, the same shall be considered on merits, without the appellate authority being impeded by the issue of limitation, and a reasoned and a speaking order, in accordance with law, shall be passed, forthwith.

4. The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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