

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6362 of 2022

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Munna Kumar S/o Late Rajendra Ram, Resident of Village- Parari, Post Office- Chandi, Police Station- Chandi, District- Nalanda.

... .. Petitioner/s

Versus

1. Punjab National Bank represented through the Zonal Manager, Zonal Office, R-Block, Chanakya Tower, Punjab National Bank, Patna.
2. The Circle Head-Cum-Disciplinary Authority, Human Resource Department Section, Punjab National Bank Circle Office, Ramchandrapur, Biharsharif.
3. Sri Anup Kumar Saha, the Lead District Manager-Cum- Enquiry Officer, Punjab National Bank, Nawada.
4. The Senior Manager-Cum-Presenting Officer, Punjab National Bank, Branch Office - Nardiganj, Nawada.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Krishna Chandra, Advocate Mr.Ajit Kumar, Advocate
For the PNB	:	Mr.Mrityunjay Kumar, Advocate Mr.Ram Ganesh, Advocate Mr.Vibhuti Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-12-2023 1. The present writ petition has been filed seeking the following relief(s):-

“1(a) For issuance of an appropriate Writ/Writs, direction/directions in the nature of Certiorarified Mandamus calling for the entire records connected with the Departmental Enquiry and upon being satisfied be pleased to quash the Order as contained in Letter dated 05.04.2022, by which the request to allow the defence witnesses to adduce evidence in the Departmental Enquiry initiated on the same sets of facts and materials based on which the Criminal case is pending adjudication before



the Court of Criminal Jurisdiction and to provide opportunity for cross examination of material Management witnesses connected with the business transactions forming part of Memo of Charge, has been rejected/declined citing reasons that the matter is already delayed, and in consequent thereof, be pleased to allow defence witnesses to adduce evidence and also to cross examine the material management witness in the Departmental Enquiry by exhibiting material evidences to prove his innocence in accordance with law.

(b) In the alternative, the Hon'ble Court may be pleased to direct the respondents to stay the departmental proceeding till recording of evidences in the Criminal case pending adjudication in the Court of Learned CJM, Biharsharif, as the request made to stay the Departmental Enquiry till conclusion of the Criminal Trial has also not been considered Contrary to the law laid down and ignoring the fact that defence of the delinquent is likely to get prejudiced, while the HRM Circular No.- 8/13 dated 29.08.2013 of the Bank also provides for stay of Departmental enquiry strictly in consonance with the settled principles of law and ratio laid down by the Hon'ble Apex Court.”

2. At the outset, the learned counsel for the petitioner



has submitted that during the interregnum period, the disciplinary authority has already passed an order of punishment dated 10.06.2022, whereafter the appeal filed by the petitioner has also stood dismissed, hence the petitioner be permitted to file a wholesome writ petition. Permission so sought is granted.

3. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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