

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.343 of 2021

In
Civil Writ Jurisdiction Case No.6223 of 2019

=====

Krishna Bihari Pandey S/o Sri Triveni Pandey Resident of village- Bhaluahi,
P.o.- Siyawank, P.s.- Baghaila, Dist.- Rohtas

... .. Appellant/s

Versus

1. Madhya Bihar Gramin Bank through its Chairman, Head Officer Meena Plaza, South of Museum, Patna-1
2. The Chairman cum Disciplinary Authority, Madhya Bihar Gramin Bank, Head Officer Meena Plaza, South of Museum, Patna-1
3. The General manager, Madhya Bihar Gramin Bank, Head Officer Meena Plaza, South of Museum, Patna-1

... .. Respondent/s

=====

Appearance :

For the Appellant/s	:	Mr. Bijay Shankar Choubey, Advocate
For the Respondent/s	:	Mr. Ved Prakash Srivastva, Advocate
For the Bank	:	Mr. M.N. Parvat, Sr. Advocate

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
and
HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

Date : 17-02-2023

A prayer for pass-over has been made on behalf of the appellant on account of non-availability of the Advocate who is to address this Court.

It is difficult to accede to such prayer considering the heavy Board today.

Mr. Mahesh Narayan Parvat, learned Senior Advocate representing the respondents is however present.

We find from the impugned order dated 03.09.2020 that the appellant stood dismissed in a departmental proceeding for misappropriation of money,



which order has remained inviolate as the appeal against such order has also been dismissed.

The present writ petition is only for a direction to the respondent/Bank to pay the leave encashment dues of the appellant.

We do not have any idea whether such issue also was decided in the appeal against the departmental proceeding.

Nonetheless, it would be open for the appellant to approach the respondent/Bank for payment of the leave encashment, if at all he is entitled for the same and the matter has not yet been decided by the authorities.

We make it very clear that we have not passed any order on the merits of the claim of the appellant.

The appeal stands disposed of accordingly.

(Ashutosh Kumar, J)

(Harish Kumar, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	20.02.2023
Transmission Date	

