

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12315 of 2021

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Anil Kumar Yadav s/o Late Jitendra yadav resident of village and post Mobarakpur (Sidharia Tola), P.S. - Manjhi, District- Chapra, Saran and presently resident of Mohalla - N.H. - 2 Shyam Chawk, Hanuman Nagar, Behind - SBI, Bhagwan Bazar, Chapra, Saran.

... .. Petitioner/s

Versus

1. The Union of India through Secretary, Ministry of Finance, Government of India, New Delhi.
2. The State of Bihar through the Secretary, Department of Finance, Government of Bihar, Patna.
3. The General Manager, Central Bank of India, Central Office Operations Department, Maker Tower, E- Wing, 21st Floor, Cuffe Pared, Mumbai - 400005.
4. The Regional manager, Central Bank of India, Regional Office, Balua Tal, Motihari.
5. The Branch Manager, Central Bank of India, Branch Office, Mushahri Bazar, Siwan, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Maheshwar Prasad
For the Respondent/s : Mr.Dr. K. N. Singh (Asg)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 30-11-2023 The present writ petition has been filed seeking the following relief:-

“1. That this writ application is the nature of certiorari for setting aside / quashing of order dated 22.12.2015 passed by Regional Manager, Mr H.S. Thakur, vide memo no.- R-O- HRD: 2015-16: 2174, contained as Annexure-3 in writ petition whereby and whereunder the respondents rejected the application dated 25.05.2015, the petitioner applied for appointment on



compassionate ground, due to his father died in harness. And further direction in the nature of mandamus to the respondent for appointment of the petitioner on compassionate ground on the suitable post. The father of the petitioner employed on the post of cashier, P.F. no. 047088, namely Jitendra Yadav S/O Late Ram Chandra Yadav, in Central Bank of India, Mushehari Branch, Siwan, died in harness on 27.01.2015.”

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Respondent-Bank, relying on a judgment, rendered by the learned Division Bench of this Court, in the case of *Abha Sinha vs. The State Bank of Hyderabad & Ors.*, reported in 2019 (2) PLJR 119. Liberty, so sought, is granted.

3. It is needless to state that in case, the petitioner approaches the Respondent-Bank, annexing the aforesaid judgment, rendered in the case of *Abha Sinha* (supra), within a period of two weeks from today, the same shall be examined, in accordance with law, forthwith.

4. At this juncture, learned Senior Counsel for the Respondent-State submits that the issue of delay on the part of the petitioner in approaching this Court may be kept open. Accordingly, the present writ petition stands disposed off,



however, leaving the issue of delay & laches on the part of the petitioner in approaching this Court, open.

(Mohit Kumar Shah, J)

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