

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12889 of 2021

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Saurabh Suman Son of Saurabh Suman Resident of Village-Baherwagachhi,
P.O. and P.S. Nayagaon, District-Saran at Chapra.

... .. Petitioner/s

Versus

1. The Bihar State Co-Operative Bank Ltd. Ashok Raj Path, Patna through the Chairman
2. The General Manager, The Bihar State Co-operative Bank Ltd. Ashok Raj Path, Patna.
3. The Managing Director, The Bihar State Co-operative Bank Ltd. Ashok Raj Path, Patna.
4. The Deputy General Manager, The Bihar State Co-operative Bank Ltd. Ashok Raj Path, Patna.
5. The Branch Manager-Cum-Conducting Officer, The Bihar State Co-operative Bank Ltd. Bankipur Branch, Patna.
6. The Branch Manager, The Bihar State Co-operative Bank Ltd. Chapra Branch, Chapra.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Vijay Kumar Singh, Adv.
For the Respondent/s	:	Mr.Bindhyachal Rai, Adv.
For the Bihar State Co-operative Bank	:	Mr.Prashant Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 07-12-2023 1. The present writ petition has been filed seeking the following relief(s):-

“1.(I) For issuance of an appropriate writ in the nature of CERTIORARI for quashing the enquiry report submitted by the Conducting Officer, the Branch Manager, Bankipur Branch (Respondent no.5) on 28.12.2020, whereby and where under he has found to prove the charges leveled against the petitioner without any consideration of the facts as pleaded by the petitioner as also without providing



any proper opportunity of hearing or providing to examine and cross examine the witnesses

(II) For issuance of an appropriate writ in the nature of CERTIORARI for quashing the second show-cause notice issued by the Respondent no.4 contained in Ref. No.639 dated 09.06.2021 whereby and where under the Respondent no.4 has been pleased to ask the petitioner to place his defense against the proved charges within 15 days.

(III) For issuance of an appropriate writ in the nature of MANDAMUS, commanding and directing the Respondent Authorities to revoke the suspension of the petitioner as also to exonerate the petitioner from the charges on the ground that in the enquiry report of three men committee as also in the meeting of Board of Director it was found that the then Branch Manager Ajay Kumar is fully responsible for the forged transfer of money but he was neither placed under suspension nor against whom any departmental proceeding was initiated whereas the petitioner is thoroughly innocent but against whom a departmental proceeding was initiated as also second show-cause notice was issued.”

2. At the outset, the learned counsel for the petitioner submits that the order of punishment has already been passed during the interregnum period, which has also been challenged by filing a writ petition bearing C.W.J.C. No.16499 of 2022,



hence the present writ petition has been rendered infructuous, thus the same be disposed off, however liberty be granted to the petitioner to raise the issues raised in the present writ petition, in the aforesaid writ petition bearing C.W.J.C. No.16499 of 2022.

3. Accordingly, the present writ petition stands disposed off while granting liberty to the petitioner to raise all the issues raised in the present writ petition in the aforesaid writ petition bearing C.W.J.C. No.16499 of 2022.

(Mohit Kumar Shah, J)

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