

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Miscellaneous Jurisdiction Case No.2243 of 2019**

**In**  
**Civil Writ Jurisdiction Case No.19743 of 2015**

=====

Rakesh Roshan Gupta, Son of Raghunath Prasad Gupta, Resident of Flat No. 305, C/o Satyam Apartment, Montessori School Lane, Boring Road, P.S.- S.K. Puri, Distt. - Patna.

... .. Petitioner/s

Versus

1. Rajnish Kumar, the Chairman-cum-Managing Director, State Bank of India, Nariman Point, Mumbai.
2. Mahesh Deep Chand Goyal, the Chief General Manager, State Bank of India, Local Head Office (LHO), West Gandhi Maidan, Patna.
3. Vijay Singh Nagi, the General Manager, State Bank of Indian, Local Head Officer, West Gandhi Maidan, Patna.
4. Sanjay Kumar, the Deputy General Manager (Business and Operation), State Bank of India, Zonal Office, Kala Bhawan Road, Purnea.
5. Roma Prakash, the Assistant General Manager (Domestic Enquiry), State Bank of India, Local Head Office, Patna.
6. Ajay Kumar Singh, the Chief Manager, State Bank of India, Main Branch, Siwan.
7. Barun Raj Ganeshwar Upadhyay, the Manager (Vigilance), State Bank of India, Local Head Office, Patna.
8. Mr. Kumar Gaurav, Son of Ravindra Prasad, Resident of Mohalla- Jai Prakash Nagar, Purnea College Chowk, P.S. and District- Purnea, Erstwhile Branch Manager, Agwanpur Branch, Saharsa, at present posted as Manager, Personal Banking Branch, Near DR. I.D. Singh Clinic, New Colony, Naya Bazar, Saharsa, Pin Code- 852201, Bihar.

... .. Opposite Party/s

=====

**Appearance :**

|                    |   |                                                                     |
|--------------------|---|---------------------------------------------------------------------|
| For the Petitioner | : | Mr. Mrigank Mauli, Sr. Advocate<br>Mr.Rakesh Kumar Sharma, Advocate |
| For the S.B.I.     | : | Mr.Kaushlendra Kumar Sinha, Advocate                                |

=====

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**  
**ORAL ORDER**

5      15-02-2023                      Heard Mr. Mrigank Mauli, learned Senior Counsel,  
  
representing the petitioner, as well as the learned counsel for the  
  
Bank.

This application has been filed for initiation of



contempt proceedings against the opposite parties for non-compliance of the order dated 23.04.2018 passed in CWJC No.19743 of 2015.

The learned Senior Counsel submits that the consequential benefits in terms of the order dated 23.04.2018 have not been made available to the petitioner.

Learned counsel for the Bank, on the other hand, submits that the effect of the order is to continue the petitioner under suspension in view of second last paragraph of the order dated 23.04.2018 passed in CWJC No.19743 of 2015, which reads as follows :

*"As a consequence of the quashing of the second show cause notice dated 12.05.14 the findings of the disciplinary authority dated 06.02.15 and appellate order dated 19.09.15, the petitioner would be entitled to reinstatement with all consequential benefits. It would be open to the authorities to proceed in the matter from the stage of second show cause notice expeditiously."*

Learned Senior Counsel thereafter submits that even if that position is to be accepted, the petitioner would be entitled to higher amount as subsistence allowance, since the scale for which the subsistence allowance is being given, is required to be



revised.

If that be the case, the petitioner would be at liberty to approach the authorities for such benefits.

Since the respondents have restored the petitioner's status in compliance of the Court's order and are paying the subsistence allowance, due by their standard, as of date, this Court finds that no case is made out for contempt.

The application stands dismissed.

**(Madhuresh Prasad, J)**

PNM

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

