

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4124 of 2021

Chandeshwar Ram Son of Late Chandrika Ram Resident of House No. 554/B,
Ward No. 13, S.B. High School, Maulabagh, Arrah, Bhojpur, P.O.- Ara
Nawada, P.S.- Ara Nawada, District- Bhojpur, 802301 (Bihar).

... .. Petitioner/s

Versus

1. The Union of India through its Secretary, Ministry of Finance, Department of Financial Services, RRB Section, Banking Division, Jeevan Deep Building, 3rd Floor, Parliament Street, New Delhi- 110001.
2. National Bank of Agriculture and Rural Development (NABARD) through its Chief General Manager having its Head Office at- Plot No. C- 24, G-Block, Bandra Kurla Complex, BKC Road, Bandra East, Mumbai, Maharashtra, Pin Code- 400051.
3. Punjab National Bank (PNB) through its Chief Managing Director having its Head Office at Plot No. 4, Sector- 10, Dwarka, New Delhi- 110075.
4. Dakshin Bihar Grameen Bank through its Chairman having its office at Shri Vishnu Commercial Complex, NH- 30, New Bypass, near B.P. Highway Services Petrol Pump, Ashochak, Patna- 800016 (Bihar).
5. Board of Directors, Dakshin Bihar Grameen Bank through its Chairman having its office at Shri Vishnu Commercial Complex, NH- 30, New Bypass, near B.P. Highway Services Petrol Pump, Ashochak, Patna- 800016 (Bihar).
6. The Chairman, Dakshin Bihar Grameen having its office at Shri Vishnu Commercial Complex, NH- 30, New Bypass, near B.P. Highway Services Petrol Pump, Ashochak, Patna- 800016 (Bihar).
7. The General Manager (HRD/ PENSION), Dakshin Bihar Grameen Bank having its office at Shri Vishnu Commercial Complex, NH- 30, New Bypass, near B.P. Highway Services Petrol Pump, Ashochak, Patna- 800016 (Bihar).
8. The Chief Manager, Pension Cell, Dakshin Bihar Grameen Bank having its office at Shri Vishnu Commercial Complex, NH- 30, New Bypass, near B.P. Highway Services Petrol Pump, Ashochak, Patna- 800016 (Bihar).

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Jai Prakash Singh, Adv.
For the U.O.I.	:	Mr. Dr. K.N. Singh (Asg)
For NABARD	:	Mr. Siddhartha Prasad, Adv.
For D.B.G.B.	:	Mr. M.N. Parbat, Sr. Adv., Mr. Ved Prakash Srivastava, Adv.
For P.N.B.	:	Mr. Raj Nandan Prasad, Adv., Mr. Vishesh Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH



ORAL JUDGMENT

Date : 10-08-2023

Heard Mr. Jai Prakash Singh, learned counsel appearing on behalf of the petitioner, Mr. Dr. K.N. Singh, learned counsel appearing on behalf of the Union of India, Mr. Siddhartha Prasad, learned counsel appearing on behalf of the NABARD, Mr. M.N. Parbat and Mr. Ved Prakash Srivastava, learned counsels appearing on behalf of the Dakshin Bihar Gramin Bank and Mr. Raj Nandan Prasad and Mr. Vishesh Kumar Singh, learned counsel appearing on behalf of the Punjab National Bank.

2. Learned counsel appearing on behalf of the petitioner informs this Court that the issue regarding pension/family pension payable to such employees of the Bank, who have been awarded with major penalty of compulsory retirement, is the subject matter of L.P.A. No.46 of 2021. However, so far as the issue of payment of leave encashment is concerned, the same has been decided by this Court in CWJC No.17150 of 2017, which has been affirmed by the Division Bench and he restricts his prayer in the present writ petition only for payment of leave encashment and other retiral dues to which the petitioner is entitled for.

3. Learned counsel submits that the case of the petitioner is identical to one employee namely Ramawatar Prasad, who has



preferred writ petition bearing C.W.J.C. No. 13950 of 2019, which was disposed of vide order dated 24.04.2023.

4. Considering the submissions made on behalf of the petitioner, the present writ petition is disposed of with a direction to the concerned respondents to forthwith make payment of dues amount of leave encashment payable to the petitioner not beyond a period of four weeks. The issue relating to payability of pension/family pension to the compulsorily retired employees of the bank is pending adjudication before the Division Bench of this Court in LPA No.46 of 2021, no interference is required at this stage by this Court.

5. Since the LPA No.46 of 2021 is pending, the authorities are bound to act in accordance with the final outcome of the appeal.

6. The present writ application is disposed of.

(Purnendu Singh, J)

pravinkumar/-

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

