

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7971 of 2012

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Ghanshyam Mishra, Son of Shri Chandra Narayan Mishra, Resident of
Village- Umari, Police Station- Lakhnour, District- Madhubani

... .. Petitioner/s

Versus

1. The General Manager (H.R.), Head Indian Bank Office no.- 66 Rajaji Salai,
Chennai, Tamil Nadu, 600001.
2. The Deputy General Manager, Indian Bank, Zonal Office, Muzaffarpur.
3. The Assistant General Manager and Disciplinary Authority, Indian Bank,
Ragional Office, Muzaffarpur.
4. The Assistant General Manager, Indian Bank, Zonal Office, Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Arun Kumar Prasad, Advocate
		Mr. Bimlesh Kumar Jha, Advocate
For the Respondent/s	:	Mr. Dhananjay Kashyap, Advocate

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

6 29-03-2023 Having regard to the limited submission advanced on

behalf of the petitioner, this Court, shorn of unnecessary details,

would record the relevant facts and dates which are as follows:-

The petitioner was allegedly caught red-handed while
accepting bribe. He has been arrested, and criminal proceeding
was initiated against him by the Central Bureau of Investigation.
The criminal proceedings resulted in his conviction on
31.07.2001; and the conviction was reversed on account of
acquittal of the petitioner in terms of the judgment of this Court
in Cr. Appeal No. 287 of 2001 (SJ). This Court had found the
conviction to be unsustainable and the petitioner deserved to be



acquitted. The appeal was thus allowed.

The limited grievance of the petitioner is that he has immediately approached the authorities after his acquittal by this Court in Cr. Appeal No. 287 of 2001 (SJ) by making a representation, in February 2010. The respondent-Bank has, however, reinstated him on 25.10.2010. Learned counsel for the petitioner, therefore, submits that for this period he was deprived of his service benefits wrongly as he was prevented from discharging his duties due to the non-consideration of the authorities in accepting his representation dated 03.02.2010 (Annexure-4). It is submitted that there are certain other dues also admissible to the petitioner for the period prior to petitioner's conviction dated 31.07.2001.

Learned counsel for the petitioner submits that for these grievances, he would be approaching the respondent No. 2 (The Deputy General Manager) by making a representation.

In view of the limited prayer, learned counsel for the Bank submits that petitioner's claim would be considered in accordance with law; and only benefits, which are found due and admissible, would be paid to the petitioner.

In view of stand of the parties, no direction is required.



The application is disposed of with liberty to the petitioner to submit his representation for consideration of the authorities.

(Madhuresh Prasad, J)

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