

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1683 of 2019

In
Civil Writ Jurisdiction Case No.4908 of 2016

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Vinay Kumar Dubey S/o Late Kalika Prasad Dubey R/o Vill- Agini, P.O.-
Sikaria Via Takia Bazar, P.S.- Darigaon, Dist- Rohtas at Sasaram, At present
address House No. 88 Fazalganj Sasaram, Sasaram Rohtas Bihar- 821119
P.S.- Sasaram, Rohtas.

... .. Appellant/s

Versus

1. The Chairman Cum Disciplinary Officer Madhya Bihar Gramin Bank, Head Office, Meera Plaza, South of Museum, Patna-1.
2. The Appellate Board/Directorate of Madhya Bihar Gramin Bank, Patna-1.
3. Shri Ravindra Nath Trivedi, Enquiry Officer-cum-Senior Manager, Madhya Bihar Gramin Bank Regional Office, Sasaram.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Jai Prakash Singh, Adv.
For the Respondent/s : Mr. Suresh Pd Singh No.1, Adv.

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
and
HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

Date : 07-04-2023

Heard Mr. Jai Prakash Singh, learned advocate for
the appellant and Mr. Suresh Prasad Singh for the
respondent/Madhya Bihar Gramin Bank.

The appellant had been put to departmental
proceeding wherein he was saddled with the punishment of
reduction to five lower stage in the time scale pay till his



retirement, which punishment was imposed barely eight months before the appellant superannuated.

Mr. Jai Prakash Singh, learned advocate for the appellant has submitted that the learned Single Judge did not take into account few vital facts before dismissing his writ petition. Many documents that the appellant had demanded were not given to him. Those documents were not all and sundry documents but pertained to the charge against the appellant.

We have examined the charge memo and the report of the Disciplinary Authority and we find that the appellant, in his capacity as Manager of the concerned Branch of the Bank, had not properly discharged his function with respect to preparation of pre-appraisal evaluation for over-draft/cash credit limits of the loanee / M/s Rohtas Rice Mill.

The contention of the appellant that he was not responsible for sanctioning the loan of such a big amount, which could only have been sanctioned by the Head Office



is of no consequence so far as the case of the appellant is concerned. There is no allegation against the appellant of having sanctioned the loan amount or the cash credit limit. The allegation against him is only to the extent that the report prepared by him was not in accordance with rules, the details of which forms part of the Charge No.1.

On the basis of the appraisal report given by the appellant, the loan was sanctioned which has now has become NPA.

The argument of the appellant that the process for appraisal had begun before he had joined the Bank is also of no avail of him as the appraisal was sent to the Head Office under his signature. Even otherwise, the appellant has not been visited with unconscionable punishment as the reduction of five levels has remained operative only for eight months whereafter the appellant superannuated.

We do not find any good reason to interfere with the judgment passed by the learned Single Judge.



We, therefore, dismiss this appeal but, without
any order as to costs.

(Ashutosh Kumar, J)

(Harish Kumar, J)

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AFR/NAFR	NAFR
CAV DATE	NA
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