

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.3295 of 2020**

Mrigendra Narayan Jha Son of Late Jaykant Jha Resident of Village-  
Budhnagara, P.S.- Nanpur, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The Managing Director, Uttar Bihar Kshetriya Gramin Bank Kalambag Chowk, Muzaffarpur.
2. The Regional Manager, Uttar Bihar Kshetriya Gramin Bank, Sitamarhi.
3. The Branch Manager, Uttar Bihar Kshetriya Gramin Bank, Kharka Branch, Sitamarhi.

... .. Respondent/s

**Appearance :**

|                      |   |                                                   |
|----------------------|---|---------------------------------------------------|
| For the Petitioner/s | : | Mr. Ashok Kumar Jha, Adv.,<br>Mr. Sumit Jha, Adv. |
| For the Bank         | : | Mr. Prabhakar Jha, Adv.,<br>Mr. Amitesh Jha, Adv. |

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

11     20-06-2023                      Heard Mr. Ashok Kumar Jha and Mr. Sumit Jha,  
  
learned counsels appearing on behalf of the petitioner and Mr.  
  
Prabhakar Jha and Mr. Amitesh Jha, learned counsel appearing  
  
on behalf of the Bank.

2. Mr. Prabhakar Jha, learned counsel appearing on  
behalf of Uttar Bihar Ksheteriya Gramin Bank, seeks to file  
hard copy of counter affidavit on behalf of respondent nos. 1 to  
3. The same is directed to be kept on record.

3. It is informed by the learned counsel appearing on  
behalf of respondent nos. 1 to 3 that the grievance of the  
petitioner has been redressed. He refers to paragraph no. 8 to the



counter affidavit in support of his statement and letter dated 21.02.2020 addressed to the Chief Manager, T.B.C., Uttar Bihar Gramin Bank, Head Office, Muzaffarpur. It is relevant to reproduce paragraph no. 8 of the counter affidavit, which is as follows:-

*“8. That statement made in para no. 9 of the writ petition are wrong and denied. It is submitted that the terminal benefits i.e. gratuity amount of Rs. 8,65,700/-, leave encashment amount Rs. 3,64,770/- and G.S.L.I. (Group Savings Linked Insurance) amount Rs. 45,789/- was duly paid to the petitioner by crediting in his OD Account/Savings Account.”*

4. It appears from the pleading in the writ petition as well as specific statement made in paragraph no. 8 of the counter affidavit that the terminal benefits with respect to payment of gratuity, leave encashment and G.S.L.I have been credited into the account of the petitioner.

5. The petitioner was held accountable for embezzlement of an amount of Rs. 6,25,000/- committed during 06.09.2012 to 31.12.2013. No disciplinary actions were taken, however an F.I.R. was lodged after much delay in year 2015. The petitioner was inflicted with punishment of stoppage of two annual increments for three years and reduction of two



increments of three years. The petitioner has given 'No dues' certificate.

6. Considering the averment made in the writ petition as well as in the counter affidavit, it appears that the substantial relief as prayed by the petitioner on account of gratuity, leave encashment and G.S.L.I has already been paid to the petitioner. The petitioner has not disputed the said fact. However, the petitioner, if so advised, may file a detailed representation before the concerned authority, if at all any retiral dues remains to be paid taking into consideration that any disciplinary action is taken against the petitioner.

7. Accordingly, the writ petition stands disposed of.

**(Purnendu Singh, J)**

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