

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.707 of 2024

Shiv Pati Kumar Son of Shri Shivnandan Singh Resident of Village Mahadipur, P.S.- Haspura District- Aurangabad.

... .. Petitioner/s

Versus

1. The Union of India through the Secretary, Finance Department Government of India.
2. The Chairman, Punjab National Bank, Management Advisory Services Division 7 Bhikaiji Cama Palace, New Delhi.
3. The General Manager, Punjab National Bank Zonal office, B, Block Chankya Place, Bir Chand Patel Marg, Patna.
4. The Appellate Authority Zonal Manager, Punjab National Bank B, Block Chankya Place, Bir Chand Patel Marg, Patna.
5. The Chief Manager Cum Circle Head / Deputy General Manager, Punjab National Bank, HRD, Zonal office, B, Block Chankya Place, Bir Chand Patel Marg, Patna.
6. The Branch Manager Head, P.M.CH. Branch, Punjab National Bank, Ashok Rajpath, Patna- 4.
7. The Deputy Circle Head, Punjab National Bank, Circle Office Inspection and Audit Section, Chanakya Tower, R Block, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Mohit Shriwastava, Advocate
For the Respondent/s : Mr.Additional Solicitor General

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-02-2024 The present writ petition has been filed seeking the following relief:-

"i) For setting aside the Enquiry report dated 26.07.2023 submitted by the Enquiry Officer, Sri Anand Prasad, B. O Exhibition Road, Patna whereby all 5 (five) charges were found proved without even recording of the oral testimony of witnesses in support of



allegation/charges which was a mandatory requirement of law in terms of memorandum of settlement dated 10.04.2002 as well as in terms of judgment of Supreme Court of India reported in (2009) 2 SCC page no. 570 as well as (2010) 2 SCC page No. 776.

(ii) For setting aside the final order contained in Reference No. CO/HRD dated 29.09.2023 issued by the Circle Head, Patna and disciplinary authority whereby the petitioner has been inflicted punishment of compulsorily retirement etc.

(iii) For setting aside the appellate authority order dated 16/12/2023 passed by Zonal Manager, Punjab National Bank, whereby the appeal filed by the petitioner has been rejected.

(iv) The petitioner further prays that after setting aside of the aforementioned Enquiry report as well as order of punishment the petitioner be reinstated in service with all consequential benefits with full wage for the period of suspension as well as full wages seniority and promotion up to date, as the petitioner has not been in gainful employment after dismissal from service"

2. At the outset, the learned counsel for the petitioner seeks not to press the present writ



petition, however, seeks liberty on behalf of the petitioner to avail such other alternative remedies as are otherwise available under the law, including that of approaching the competent labour court having appropriate jurisdiction. Liberty, so sought, is granted.

3. The writ petition stands disposed off as not pressed.

(Mohit Kumar Shah, J)

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