

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3613 of 2012

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1. Kosi Kshetriya Gramin Bank Staff Organization, Purnia through its General Secretary, Md. Abu Muzaffar Nawaz.
 2. Md. Abu Muzaffar Nawaz Son of Zafrel Hussain At Present Posted As Office Assistant, Uttar Bihar Gramin Bank, Garh Banaili Branch, P.S.- Kasba, District - Purnia

... .. Petitioner/s

Versus

1. The Union of India through the Secretary, Ministry of Banking and Finance, Govt. of Bihar, New Delhi
2. The Uttar Bihar Gramin Bank, Head Office- Sharma Complex, Kalambagh Road, Muzaffarpur Through Its Chairman.
3. The Chairman, Uttar Bihar Gramin Bank, Head Office - Sharma Complex, Kalambagh Road, Muzaffarpur
4. The General Manager, Uttar Bihar Gramin Bank, Head Office- Sharma Complex, Kalambagh Road, Muzaffarpur
5. The Regional Manager, Uttar Bihar Gramin Bank, Head Office-Sharma Complex, Kalambagh Road, Muzaffarpur
6. The Senior Manager, Uttar Bihar Gramin Bank, Head Office- Sharma Complex, Kalambagh Road, Muzaffarpur

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.D.K.Sinha, Sr.Advocate Mr.Shanti Pratap, Advocate Mr.Alexander Ashok, Advocate
For the Bank	:	Mr.Prabhakar Jha, Advocate Mr.Amitesh Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

10 29-04-2024 Heard Mr. D.K. Sinha (Senior Counsel) along with Mr. Shanti Pratap and Mr. Alexander Ashok, learned counsels appearing on behalf of the petitioners and Mr. Prabhakar Jha along with Mr. Amitesh Jha, learned counsels for the Bank.

2. The petitioners, erstwhile employee of the of Koshi



Kshetriya Grmin Bank and after amalgamation in the year, 2010 called as Uttar Bihar Gramin Bank and now being employee of Uttar Bihar Grmin Bank seek to file a detail representation before the Chairman of the Uttar Bihar Gramin Bank Muzaffarpur (respondent no.3), in the light of decision of the Apex Court in the case of **South Malabar Gramin Bank Vs. Co-ordination Committee of South Malabar Gramin Bank Employees' Union and South Malabar Gramin Bank Officers' Federation and Ors.** reported in (2001) 4 SCC 101.

3. Learned counsel has further submitted that though the petitioners have made specific statement in paragraph nos. 12 and 13 of the writ petition, as well as, considering tripartite agreement between the then Kshetriya Gramin Bank, which has not been considered in the counter affidavit and also the counter affidavit is devoid of any fact relating as to in what manner the guideline of the RBI and the NABARD has been followed, while taking into consideration the case of the petitioners.

4. Considering the aforesaid submissions made on behalf of the petitioners, the Chairman of Uttar Bihar Gramin Bank, Muzaffarpur (respondent no.3) is directed to consider the representation of the petitioners, after giving them proper opportunity of hearing, and pass a reasoned order based on the



decision of the Apex Court and in case, the case of the petitioners is covered by the decision of the Apex Court as reported in the case of **South Malabar Gramin Bank (supra)** then in that case, the relief(s), as prayed for in the present writ petition, is directed to be given to the petitioners within a period of two months from the date of passing of this order.

5. In case, the claim of the petitioners is not covered by the said decision of the Apex Court or several guidelines of the Bank, then in that case, the Chairman of Uttar Bihar Gramin Bank, Muzaffarpur (respondent no.3) is directed to give specific reason as to why the case of the petitioners is not covered and the relief(s) can not be granted within the aforesaid period of two months.

6. With the above observation/direction, the present writ petition stands disposed of.

(Purnendu Singh, J)

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