

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.20576 of 2012

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Rajesh Kumar, S/O Late Jagdish Pd., Resident Of House No. 21, Kanti Sadan, North S.K.Puri, Sardar Patel Path, District- Patna.

... .. Petitioner/s

Versus

1. The State Bank Of India
2. The Chief General Manager, State Bank Of India, Locak Head Office, Patna.
3. The Deputy General Manager (B & O), State Bank Of India, Zonal Office, Judge'S Court Road, Patna.
4. The Assistant General Manager Administration, Disciplinary Proceeding Section, Administrative Office, State Bank Of India, Judge'S Court Road, Patna.
5. The Regional Manager, State Bank Of India, Regional Busindess Office, Arrah.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sita Ram Sharan, Advocate
For the Respondent/s : Mr. Rakesh Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 24-06-2024 Heard the parties.

2. Mr. Rakesh Kumar Singh, learned counsel appearing on behalf of the State Bank of India has informed that for the similar relief, the petitioner had already filed CWJC No.19356 of 2010 in which this Court vide order dated 03.12.2010 had granted liberty to the petitioner to file a representation before the competent authority for disposal of same with a speaking order within a period of four weeks from



the date of its filing. The order passed by this Court is annexed as Annexure 7 to the writ petition.

3. The main grievance of the petitioner in the present writ petition is that the petitioner was awarded punishment of “dismissal without notice”.

4. Upon perusal of counter affidavit, it appears that the due opportunity was given to the petitioner and thereafter speaking order was passed in compliance of the order dated 03.12.2010 passed in CWJC No.19356 of 2010 by this Court. Proper procedure was followed by serving a charge memo, which was communicated to the petitioner and inquiry report was submitted and given to him. The petitioner was given opportunity to examine the witness and from the impugned order of penalty, it is evident that the allegation against the petitioner is that he had demanded and accepted illegal gratification of Rs.5,000/- from one Smt. Shanti Kunwar @ Shanti Devi, while he was made in-charge in respect of payment of pension of the teachers. The petitioner was given opportunity to cross-examine the said Smt. Shanti Kunwar but he refused to do the same.

5. Considering the reason given in the penalty order and accordingly the punishment order is proportionate to the



misconduct, as enumerated in the charge-sheet, I don't find it proper to interfere with the penalty order.

6. The writ petition is, accordingly, dismissed.

(Purnendu Singh, J)

Sanjay/-

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