

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.423 of 2021

In

Civil Writ Jurisdiction Case No.5768 of 2005

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1. Punjab National Bank through its General Manager, Human Resources Development Division, Head Office, Plot No.4, Sector-10, Dwarka, Delhi-110075.
 2. The Zonal Manager, Punjab National Bank, Disciplinary Action Cell, Zonal Office, R-Block, Patna.
 3. The Dy. General Manager (Zone), Punjab National Bank, Disciplinary Action Cell, Zonal Office, 'R' Block, Patna.
 4. The Regional Manager, Punjab National Bank, HRD Section, Regional Office, Ara, Bihar.
 5. The Lead District Manager, Punjab National Bank, Inquiry Authority, LDMO, Bhabhua, District Kaimur (Bhabhua).
 6. The Branch Manager, Punjab National Bank, Ramgarh, Godsara Branch, District Kaimur, Bhabhua.

... .. Appellants.

Versus

1. Jitana Devi, Wife of Late Lalji Singh, Resident of Village- Bandipur, Opposite G.B. College, Bandipur, P.S.- Ramgarh, District- Kaimur (Bhabhua).
2. Anil Kumar Singh, Son of Late Lalji Singh, Resident of Village- Bandipur, Opposite G.B. College, Bandipur, P.S.- Ramgarh, District- Kaimur (Bhabhua).

... .. Respondents.

Appearance :

For the Appellants (P.N.B.):	Mr. Mritunjay Kumar, Advocate. Mr. Ram Ganesh, Advocate. Mr. Vibhuti Kumar, Advocate.
For the Respondents :	Mr. Brij Mohan Das, Advocate. Mr. Brij Nandan Kumar Tiwari, Advocate.

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

and

HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 25-04-2024

On 28.03.2024, the following order was passed:

“Pursuant to our previous order dated 06.02.2024,
learned counsel for the appellants on
instructions submitted that there are no



provisions for imposition of penalty of compulsory retirement as a measure of penalty. At this stage, we have noticed paragraph-14 of the order dated 08.11.2019 passed by the learned Single Judge in C.W.J.C. No.5768 of 2005, which reads as under:

“Let a final decision in respect of a lesser punishment be taken by the Appellate Authority within a period of three months from the date of receipt/production of a copy of this order.”

2. The Appellate Authority has not passed order in the light of the directions at paragraph-14 of the order dated 08.11.2019 passed by the learned Single Judge in C.W.J.C. No.5768 of 2005 till date.

3. We have also noticed that there is no interim order in the present L.P.A. In such circumstances, Appellate Authority in all fairness should have obeyed the order dated 08.11.2019 passed by the learned Single Judge in C.W.J.C. No.5768 of 2005, while passing order, of course, with a rider that implementation of paragraph-14 of the order dated 08.11.2019 passed by the learned Single Judge in C.W.J.C. No.5768 of 2005 is subject to outcome of the present L.P.A. For these many 5 years, no orders have been passed by the Appellate Authority. Therefore, the Appellate Authority is hereby directed to pass a speaking



order with reference to paragraph-14 of the order dated 08.11.2019 passed by the learned Single Judge in C.W.J.C. No.5768 of 2005 before the next date of hearing and place it on record on the next date of hearing.

4. Re-list this matter on 25.04.2024.”

2. Today, learned counsel for the appellants filed supplementary affidavit on behalf of the Appellants-Punjab National Bank enclosing the copy of the order dated 23.04.2024.

3. In the light of the later development, the present L.P.A. No.423 of 2021 stands disposed of.

4. Disposal of the present L.P.A. would not be a hurdle for the respondents to question the validity of the order dated 23.04.2024 before appropriate forum and in accordance with law.

5. Pending Interlocutory Application(s), if any, stands disposed of.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

P.S./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	29.04.2024.
Transmission Date	NA

