

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1227 of 2018

In
Civil Writ Jurisdiction Case No.755 of 2013

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1. Uttar Bihar Gramin Bank
 2. Appellate Authority Board through the General Manager, Uttar Bihar Gramin Bank, Head Office at Sharma Complex, Kalambagh Chowk, Muzaffarpur, Bihar.
 3. Chairman-cum- Disciplinary Authority, Uttar Bihar Gramin Bank, Head Office at Sharma Complex, Kalambagh Chowk, Muzaffarpur, Bihar
 4. General Manager, Uttar Bihar Gramin Bank, Head Office at Sharma Complex, Kalambagh Chowk, Muzaffarpur, Bihar

... .. Appellant/s

Versus

Ram Nagina Chaudhary Son of Late Ram Charitra Chaudhary, resident of Village and P.O. Dighi, Via Majhauria Estate, P.S.- Bathraha, District- Sitamarhi.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Ajay Kumar Sinha, Sr. Advocate Mr. Ajit Kumar Sinha, Advocate Ms. Minu Kumari, Advocate Ms. Dilkash Khan, Advocate
For the Respondent/s	:	Mr. Amit Kumar Jha, Advocate Mr. Kumar Kaushik, Advocate

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

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

6 05-02-2024 Learned counsel for the respective parties on instruction submitted that both of them are agreeable to the decision of the learned Single Judge and his finding.

2. The present LPA is filed only to the extent that reinstatement of the respondent is not permissible. It is to be noted that after disposal of writ petition in the month of July 2018, the respondent was not taken back to duty. In respect of



reinstating him the present LPA has been filed.

3. During pendency of the present LPA, respondent has already attained the age of superannuation and retired from service. Therefore, question of reinstatement is impracticable.

4. Taking note of these facts and circumstances, the appellant is hereby directed to comply the directions of the learned Single Judge in so far as reconsideration of petitioner's plea against second show cause notice along with Inquiry Officers report afresh, such exercise shall be undertaken within a period of three months from the date of receipt of this order.

5. The disciplinary authority is hereby directed to take note of each and every contention raised by the respondent in his reply to the second show cause alongwith the Inquiry Officer's report. Speaking order shall be passed and communicated to the respondent, within a reasonable period of about three months from today. To the above extent order of the learned single Judge is modified.

6. Accordingly, L.P.A. stands disposed of.

(P. B. Bajanthri, J)

(Ramesh Chand Malviya, J)

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