

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6392 of 2018

Sanjay Kumar Jha S/o Shashi Kant Jha Resident of Village P.S.- Barari,
District- Katihar.

... .. Petitioner/s

Versus

1. The State Bank Of India Through The Chief Manager, (Human Resources)
Zonal Office, Bhagalpur, Bihar.
2. The Chief Manager, Zonal Office, Kala Bhawan Road, Purnia.
3. The Assistant General Manager-Cum- Disciplinary Authority, Region III ,
State Bank of India, Zonal Office, Kala Bhawan Road, Purina.
4. The Chief Manager, Zonal Office, Kala Bhawan Road, Purnia
5. The Branch Manager, State Bank of India, Thekurganj Branch, Purnia.
6. Zila Sainik Kalia Board, through Zila Sainik Kalayan Officer, Bhagalpur,
Bihar.
7. Zila Sainik Kalia Officer, Bhagalpur, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Purshottam Jha, Advocate
		Mr. Uday Kumar Mishra, Advocate
For the Respondent/s	:	Mrs. Namrata Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL JUDGMENT

Date : 29-01-2024

Heard learned counsel for the petitioner and
learned counsel for the Bank.

2. The present writ petition has been filed directing the Bank to appoint the petitioner on any post in the light of the direction made by this Hon'ble Court vide order dated 18.01.2018 passed in CWJC No.18409 of 2008. Counsel for the petitioner submits that the petitioner has filed representation before the Bank in the light of direction made



vide order dated 18.01.2018 passed in CWJC No.18409 of 2008. But on his representation no order was passed, therefore, the petitioner has filed the present writ petition. But by virtue of counter affidavit, it has been informed that the Bank has taken decision on his representation which has been annexed as Annexure-A to the counter affidavit.

3. Learned counsel for the petitioner submits that he has challenged the said order by virtue of filing fresh interlocutory application. Counsel submits that admittedly petitioner was working as 'Safaiwala', therefore, at least this direction may be given to the Bank that he may be appointed anywhere as 'Safaiwala'.

4. Learned counsel for the Bank submits that the Bank has fully complied the order dated 18.01.2018 passed by this Hon'ble Court in CWJC No.18409 of 2008. Counsel also submits that on merit the matter has already been decided in CWJC No.18409 of 2008.

5. In the light of the submissions and going through the pleadings, this Court reiterates the findings of this Court in earlier writ petition bearing CWJC No.18409 of 2008, extract of which reads as follows:

“So far procedural aspect is concerned, petitioner was given notice



asking him to participate in the enquiry and ultimately, final action has been taken. Mere because the petitioner was allowed to participate in the interview and he was appointed as Bank Guard successfully, that does not mean that his appointment would be saved in view of fact that he was lacking of two essential qualifications. The minimum qualification which was required for the Bank Guard is absent in the case of the petitioner. In such view of the matter, this Court does not find any merit in this writ petition. It is accordingly dismissed.”

6. In that view of the matter, this Court is of the view that there is no merit in this matter and, hence, this writ petition is dismissed. The interlocutory application filed by the petitioner is also not entertainable and it is accordingly dismissed.

(Dr. Anshuman, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	30.01.2024
Transmission Date	NA

