

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19039 of 2018

=====

Kunal Kumar S/o Nagendra Prasad Singh, R/o Village- Sahdei Bujurg Chakjmal, P.O.- Sahdei Bujurg (Chakjamal) P.S.- Desri, District- Vaishali, Ex Office Assistant, Madhya Bihar Gramin Bank, Narayanpur Branch, Bhojpur, Ara.

... .. Petitioner/s

Versus

1. The Chairman-Cum- Appellate Authority, Madhya Bihar Gramin Bank , Bihar, Patna.
2. The General Manager, Madhya Bihar Gramin Bank, Bihar, Patna.
3. The Regional Manager, Madhya Bihar Gramin Bank, Ara, Bihar.
4. The Senior Manager cum Enquiring Officer, Madhya Bihar Gramin Bank, Bihar, Patna.
5. The Branch Manager Narayanpur, Bhojpur, Ara, Madhya Bihar Gramin Bank, Bihar, Patna.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Shashi Bhushan Singh, Advocate Mr. Amresh Kumar Sinha, Advocate
For the Respondent/s	:	Mr. Suresh Prasad Singh No.1, Advocat Mr. Aditya Raj, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL JUDGMENT
Date : 28-02-2024

Heard learned counsel for the petitioner and
learned counsel for the Madhya Bihar Gramin Bank.

2. The present writ petition has been filed for setting aside the order dated 20.02.2017 issued under the signature of the Chairman-cum-Appellate Authority, Madhya Bihar Gramin Bank, Bihar, Patna, by which the appeal filed by the petitioner has been dismissed as well as setting aside the



order of removal from service dated 15.11.2016 issued under the signature of General Manager-cum-Disciplinary Authority, Madhya Bihar Gramin Bank, Patna.

3. After some argument on the specific query of the Court it has been jointly submitted that admittedly the petitioner was working as Assistant in the Madhya Bihar Gramin Bank and he is not in the category of the officer; rather under the category of workman and in the Bank it is popularly known as the Award Staff and departmental proceeding has been conducted in accordance with the rules framed under the Madhya Bihar Gramin Bank Officers and Staff Service Regulation, 2010, and in the light of Section 11 of the I.D. Act remedy for the petitioner before the Labour Tribunal/Labour Court. As such, the order passed by the officials in the departmental proceeding ought to be challenged before the Labour Tribunal/Labour Court.

4. In this view of the matter, this writ petition is disposed of granting liberty to the petitioner to challenge the orders passed in departmental proceeding, before the competent Labour Tribunal/Court. The Labour Tribunal/Court is directed to entertain his case after condoning the delay, if any. It is also directed that upon filing the case before the Tribunal/Court, the



Tribunal/Court shall decide it within six months after completion of appearance of the parties.

(Dr. Anshuman, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	01.03.2024
Transmission Date	NA

