

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1510 of 2019

In
Civil Writ Jurisdiction Case No.13546 of 2005

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Keshava Mandal, Son of Late Mannu Mandal, Resident of Village-
Ramnagar, Morcha, P.O.- Jamalpur, P.S.- Nay Ram Nagar, District- Munger,
Pin- 811214.

... .. Appellant

Versus

1. Allahabad Bank Through its Chairman-cum-M.D. and Netaji Subhas Road, Kolkatta.
2. Dy. General Manager-cum- Appellate Authority Allahabad Bank Regional Officer, Budh Marg- Patna.
3. Assistant General Manager-cum- Disciplinary Authority Allahabad Bank Regional Office, Budh Marg, Patna.

... .. Respondents

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Appearance :

For the Appellant/s : Mr. Abhinav Srivastava, Advocate
For the Respondent/s : Mr. Shambhu Nath, Advocate

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 09-12-2024

The appellant has assailed the order of the learned
Single Judge dated 06.09.2019 passed in C.W.J.C. No. 13546 of
2005.

2. Appellant, while working as a Branch Manager
of Nawagachia branch of the Respondent Bank, he had alleged
to have abused his position insofar as disbursement of loan. He
had committed certain misdeeds, while disbursing loan
resultantly, he was subjected to disciplinary proceedings and it



has attained finality in imposition of penalty of dismissal from service on 10.06.2003. Feeling aggrieved by the order of dismissal he had preferred appeal before the Appellate Authority and it was dismissed by the Appellate Authority on 24.11.2004, resultantly, he had filed C.W.J.C. No. 13546 of 2005 and it was dismissed on 06.09.2019, hence the present L.P.A.

3. Learned counsel for the Appellate tried to impress this Court on merits of the case to the extent that findings are not in consonance with the principle insofar as analyzing the evidence. The same cannot be adjudicated in judicial review as held by Hon'ble Supreme Court in number of cases. One of the decisions in the case of ***Union of India and Others vs. P. Gunasekaran*** reported in (2015) 2 SCC 610. Further, the same principle has been reiterated in the subsequent decision in the case of ***State of Karnataka & Anr. vs. Umesh*** reported in (2022) 6 SCC 563.

4. Learned counsel for the Appellant further submitted that the charges are not in consonance with the material information. If the charges are vague, in that event, Appellants should have questioned the validity of the charge memo at the relevant point of time. On the other hand, he had surrendered his right before the Disciplinary



Authorities/Inquiring Authority and Appellate Authority.

5. In the light of these facts and circumstances, on judicial side Court cannot undertake judicial review of the Disciplinary Authority and Appellant Authority, in other words, Court cannot sit over as a Revisional Authority. Accordingly, we find no infirmity in the order of the learned Single Judge dated 06.09.2019 passed in C.W.J.C. No. 13546 of 2005. Hence, the present L.P.A. No. 1510 of 2019 stands dismissed.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

Manish/-

AFR/NAFR	NAFR
CAV DATE	NA
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