

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1576 of 2023

In
Letters Patent Appeal No.1531 of 2018

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Rajiv Nayan, Son of Late Sachidanand, Resident of Village- Khapura, Post Office and Police Station- Pakribarawan, District- Nawadah.

... .. Petitioner/s

Versus

1. The Punjab National Bank Through its Chief Vigilance Officer/C.P.I.O., PNB, Head Office, 7 Bhiaji Cama Place, New Delhi- 110066 namely Vijay Kumar Tyagi.
2. The General Manager, Punjab National Bank, 5 Parliament Street, Head Office, Delhi namely Mr. Mahesh Dhawan.
3. The Chief Manager, Personnel Division, Head Office, New Delhi namely Mr. Amit Bundela.
4. The Zonal Manager, Punjab National Bank, Bihar Zone, Patna having its office Near R. Block, Patna namely Mr. Purna Chandra Bahera.
5. The Divisional Manager, Punjab National Bank, Divisional Office Bihar Staff at Nalanda namely Mr. Satya Priya Das.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar, Adv.
For the Opposite Party/s : Mr. Mritunjay Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
and
HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH)

4 29-04-2025 The facts of the present case are manifest inasmuch as though the original writ petitioner was made to retire under Regulation 4(h) of the Punjab National Bank Officer Employees' (Discipline & Appeal) Regulations, 1977 (hereinafter referred to as the 'Regulations') and further punishment was imposed under Rule 15(3)(b) of the Regulations by an order dated 22.07.1998 and thereafter, even



the appeal was rejected by an order dated 23.10.1999, however, the original writ petitioner approached the writ court by filing a writ petition in the year 2014 bearing CWJC No. 1429/2014 i.e. after 16 years, hence, the learned Single Judge by a judgment dated 13.04.2018 in CWJC No. 1429/2014 came to a finding that the writ petition suffers from gross delay and grave laches on the part of the original petitioner in filing the same as also held that whatever amount has been held up, is in conformity with the power vested with the authorities. It was also recorded in the said judgment dated 13.04.2018 that the bank has officially communicated to the Reserve Bank of India, by way of a report on actual or suspected fraud in the bank for which the amount has also been quantified that such fraud was on account of the deeds of the father of the petitioners herein i.e. the original writ petitioner relating to 40 IRDP loan accounts where the suppliers have been paid without them supplying the goods/materials to the loanees. Consequently, the writ petition was dismissed by the aforesaid judgment dated 13.04.2018 leading to filing of an appeal by the petitioners herein, i.e. LPA No. 1531 of 2018 wherein this Court had refrained from interfering with the impugned judgment dated 13.04.2018 and had, while disposing the said Appeal vide order dated



21.04.2022, merely noted the contention of the learned counsel for the bank to the effect that the bank would release the contribution made by the bank in the provident fund account of the father of the petitioners.

2. It is submitted by the learned counsel for the opposite parties by referring to the show cause filed in the present case that in compliance to the aforesaid order dated 21.04.2022, the bank has already released a sum of Rs. 1,74,166/- towards provident fund dues in the concerned account on 22.08.2022, which is at the moment existing in the name of Sri. Rajiv Nayan.

3. This Court finds that no rejoinder affidavit has been filed by the petitioners so as to dispute the aforesaid stand taken by the opposite parties in the show cause filed by them. In view of the facts and circumstances of the present case, we are not persuaded to proceed any further in the matter, hence, the present petition stands dismissed.

(Mohit Kumar Shah, J)

(Shailendra Singh, J)

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