

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11494 of 2025

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Sunita S Sharma Alias Sunita Sharma resident of Shail Niwas, Road No.-4 A 1, Maharaja Colony, P.O. and P.S.-Beur, Anishabad, District-Patna-800002. At present employed as Dy. Manager, SBI Zonal Office, Patna.

... .. Petitioner/s

Versus

1. The State Bank of India through its Chairman, The SBI Corporate Centre, State Bank Bhavan, Madam Cama Road, Nariman Point, Mumbai (Maharashtra) 400021.
2. The Managing Director, The SBI Corporate Centre, State Bank Bhavan, Madam Cama Road, Nariman Point, Mumbai (Maharashtra) 400021.
3. The Appellate Authority, State Bank of India, Corporate Centre, State Bank of India, State Bank Bhavan, Madam Cama Road, Nariman Point, Mumbai (Maharashtra) 400021.
4. The Dy. General Manager (Appeal and Review), State Bank of India, Corporate Centre, State Bank Bhavan, Madam Cama Road, Nariman Point, Mumbai (Maharashtra) 400021.
5. The General Manager and Disciplinary Authority, State Bank of India, Disciplinary Management Hub (East) Samriddhi Bhavan, 9th Floor, D Block, 1 Strand Road, Kolkata-700001.
6. The Chief General Manager, State Bank of India, Local Head Office, Patna 800001.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Jayant Kumar Karn, Advocate Mr. Jay Karn, Advocate
For the SBI	:	Mr. Rakesh Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL JUDGMENT

Date : 28-07-2025

Heard learned counsel for the petitioner and learned
counsel for the State Bank of India.

2. The present writ petition has been filed seeking
quashing of the order dated 29.06.2024, issued by the General
Manager and Disciplinary Authority, Discipline Management
Hub (East), as contained in Annexure P/5, and to set aside the



order passed by the Appellate Committee in its meeting held on 09.04.2025, which was communicated to the petitioner vide letter dated 19.04.2025, issued under the signature of the Deputy General Manager (Appeal and Review), State Bank of India. The petitioner further prays for a direction to grant all consequential benefits for the period of suspension and to consider the petitioner for promotion to the post of Senior Management Grade Scale-IV.

3. Learned counsel for the petitioner submits that both the original and the appellate orders are under challenge. He further submits that the appellate order has not been passed on merit but was rejected solely on the ground of delay in filing the appeal. It is contended that the petitioner was not afforded an opportunity of hearing on merits, despite the fact that the grounds for condoning the delay were duly stated in the memo of appeal and even acknowledged in the appellate order.

4. Learned counsel for the State Bank of India submits that the appeal was filed under Rule 69(2) of the State Bank of India Officers' Service Rules, 1992, and under the said rule, the appellate authority is not empowered to condone delay. Therefore, the appeal was rightly rejected, as there was a delay of 197 days in filing the same.



5. Upon hearing the parties, this Court finds that the original order under challenge is an order of major punishment imposed by the Disciplinary Authority. The appellate authority, while rejecting the appeal, has recorded the reason for delay as follows: *“the delay in submitting the appeal petition is due to the suicidal death of her brother-in-law, which resulted in severe mental trauma for an extended period, followed by her own road accident, due to which she could not submit the appeal in time, and this may kindly be condoned.”*

6. It is evident from the appellate order that the authority has not condoned the delay solely because it lacks the power to do so under the relevant rules. However, in view of the justifiable grounds for the delay as stated above, this Court is of the opinion that, in the interest of justice, the delay deserves to be condoned.

7. Accordingly, the delay of 197 days in filing the appeal before the appellate authority is hereby condoned. The appellate order dated 19.04.2025, issued under the signature of the Deputy General Manager (Appeal and Review), State Bank of India, rejecting the appeal on the ground of delay, is set aside. The appellate authority is directed to hear and dispose of the petitioner's appeal on merits, in accordance with law, after



providing due opportunity of hearing to the petitioner.

8. With the aforesaid observation and direction, the writ petition stands disposed off.

(Dr. Anshuman, J)

Ashwini/-

AFR/NAFR	
CAV DATE	NA
Uploading Date	30/07/2025
Transmission Date	NA

