

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.969 of 2024

In
Civil Writ Jurisdiction Case No.18806 of 2015

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1. The Chairman and C.E.O. Cum Managing Director Punjab National Bank , Head Office, Bhikhaji Cama Place, New Delhi.
 2. The Executive Director, Personnel Administration Division, Punjab National Bank, Head Office, Bhikhaji Cama Place , New Delhi.
 3. The General Manager, Appellate Authority, Personnel Administration Division, Punjab National Bank, Head Office, Bhikhaji Cama Place , New Delhi.
 4. The Deputy General Manager-cum-Disciplinary Authority, Punjab National Bank, Field General Manager Office, R. Block, Patna.

... .. Appellant/s

Versus

Krishna Kumar Singh Son of late Govind Singh, Resident of Rajiv Nagar, Road No. 1, P.S. Rajiv Nagar, District- Patna.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Suryakant Kumar, Advocate
For the Respondent/s : Mr. Prashant Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
and
HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE SUDHIR SINGH)

5 07-10-2025 The present intra court appeal has been preferred against the order dated 24.07.2024 passed in CWJC No. 18806 of 2015. The consideration before the learned writ Court was as follows:

“4. Learned counsel for the petitioner submitted that the order dated 21.04.2014 passed in C.W.J.C. No.18966 of 2012 has attained finality. Neither the petitioner nor the respondents have assailed the same in L.P.A. Resultently, disciplinary



authority was required to impose lesser punishment than the removal from service as observed by the Co-ordinate Bench in an earlier order dated 21.04.2014. It is further submitted that there should have been a joint inquiry against the petitioner and three others for the reasons that alleged allegations /charge-memo is arising out of the facts that petitioner and three others were alleged to have been involved in such alleged misdeeds stated to have been committed by them. It is submitted that the other three persons, one person has been punished with withholding of three annual increments with cumulative effect, another person was punished with reduction of five stages/salary and another person-charges were dropped. On the other hand, petitioner has been punished with the penalty of removal from service and it would be too harsh and there is discrimination so also the disciplinary authority has not considered the Co-ordinate Bench order dated 21.04.2014 passed in C.W.J.C. No.18966 of 2012 while passing order of removal from service on 15.10.2014.

5. Per contra, learned counsel for the respondents resisted the aforementioned contention and raised a preliminary issue to the extent that the petitioner without exhausting the remedy of appeal before the appellate authority against the order dated 15.10.2014, he has rushed to this Court in filing the present writ petition.

6. The present writ petition is admitted



for hearing. In such matters, question of relegating the petitioner to appellate authority is not warranted, that too, the present matter is pending consideration for the last about 9 years.

7. Learned counsel for the respondents has not appraised this Court as to whether Bank have preferred L.P.A. against the order dated 21.04.2014 passed in C.W.J.C. No.18966 of 2012 so as to impose the very same penalty of removal from service. The respondent-disciplinary authority has not appraised this Court to the extent of what is the role played by the each of the employee including the petitioner in respect of alleged misdeeds stated to have been committed as is narrated in the charge-memo. In fact, it was a case of joint inquiry so as to each of the employee including the petitioner's evidence is required to be examined in the light of the duties assigned to each of employee and petitioner. Prima facie, there are certain lacunae in not following the Punjab National Bank Officer Employee (D & A) Regulation, 1977. Be that as it may, order dated 15.10.2014 insofar as imposition of penalty of removal from service was required to be remanded to the disciplinary authority for the second time. Petitioner has already spent 9 years in this Court after second removal order. Therefore, it is not appropriate to remand the matter to the disciplinary authority to revisit the imposition of penalty of removal from service for the second time



ignoring the observation of the Co-ordinate Bench in its order dated 21.04.2014 passed in C.W.J.C. No.18966 of 2012.”

2. Against the order of the writ Court, the management-appellants had preferred the present intra court appeal alleging that the finding of the learned Single Judge is perverse in the eye of law.

3. We have gone through the order of the learned Single Judge, the extract of which has already been referred above.

4. We do not find any perversity in the consideration and the finding of the learned Single Judge.

5. Accordingly, the present appeal stands dismissed.

(Sudhir Singh, J)

(Rajesh Kumar Verma, J)

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