

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.351 of 2026

Abhiraj Kumar Son of Late Hansraj Prasad Yadav, Resident of Village-
Chhoti Mahuli, District- Munger, Bihar, 811202.

... .. Petitioner/s

Versus

1. The Indian Bank Through Chief General Manager, (HRM) 254-260 Corp. Off. Avvai Shanmugam, Salai, Roypettah, Chennai 600014.
2. The General Manager (HR), Indian Bank (254-260 Corp. Off. Avvai Shanmugam, Salai, Roypettah, Chennai 600014).
3. The Deputy General Manager-cum-Appellate Authority, Indian Bank, Indian Bank (254-260 Corp. Off. Avvai Shanmugam, Salai, Roypettah, Chennai 600014).
4. The Assistant General Manager/ Special Disciplinary Authority, Indian Bank (254-260 Corp. Off. Avvai Shanmugam, Salai, Roypettah, Chennai 600014).
5. The Assistant General Manager (HRM), Indian Bank HRM Settlement Section, Indian Bank (254-260 Corp. Off. Avvai Shanmugam, Salai, Roypettah, Chennai 600014).
6. The Assistant General Manager/ Zonal Manager, Indian Bank, Zonal Office, Berhampore (West Bengal).

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar Singh, Advocate
For the Respondent/Indian Bank	:	Mr. Dr. Binod Kumar Jha
		Mr. Devendra Pd., Advocate

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

2 02-02-2026 The petitioner has filed this writ application for
following relief/s:-

*“(I) For conclusion of the Appeal
dated 28.11.2024 filed by the petitioner in
the matter of an appeal under Regulation
17(1) of the Indian Bank Officer Employees
(Discipline & Appeal) Regulations 1976
against the final orders of the Assistant
General Manager (HRM) Disciplinary*



Authority concluding the departmental proceeding in respect of the charge sheet no. CO/HRM/ IRC/ 79917/ 2023-24 dated 29.01.2024 on 18.10.2024 whereby imposing on him the major penalty of Removal from service which shall ordinarily not be a disqualification for future employments”.

The period of suspension under gone by Mr. Abhiraj Kumar (the CSO) will be treated as one on suspension (non-duty) only's in absence of reasonable opportunity for defending his claim and showing bonafidy. Whereas reasonable opportunity is an elementary, basic and mandatory law and alone on reasons entire proceeding was vitiated and order of punishment void ab-initio and otherwise bad in eyes of law.

(II) For directing the respondent the Assistant General Manager (HRM) Indian Bank, Head Office to restrain the execution/implementation of the letter Ref. CO/HRM/IRC/ 79917/ 2023-24 dated 01.01.2025 whereby payment and forfeiting of gratuity and other terminal benefit, till the disposal of the Appeal which should have to be disposed of within 90 days from the date of receipt of the Application of the aforesaid Appeal in terms of Regulation 17(5) of the Indian Bank Officer Employee (Discipline & Appeal) Regulation 1976.



(III) For that necessary relief/reliefs for which he is entitled on basis of facts and circumstances described herein after.”

2. At the very outset, learned counsel for the petitioner referring to the prayer made in the writ application submits that the petitioner has preferred an appeal in terms of Regulation 17(1) of the Indian Bank Officer Employees (Discipline & Appeal) Regulations, 1976 on 28.11.2024 against the final order dated 18.10.2024 passed by the Assistant General Manager (HRM)/Disciplinry Authority, which is still pending although the same is required to have been decided within 90 days from the date of filing of the appeal. He further confines his prayer to the extent that the appeal may be directed to be decided and disposed of within a reasonable time.

3. On the other hand, learned counsel for the respondent-Bank submits that he would be required an instruction in this regard whether such appeal, as contended by the petitioner, is filed before the appellate authority or not and even if it is filed, a direction may be passed to dispose of the appeal within a reasonable time.

4. Having regard to the submission advanced by the learned counsels for the parties, this Court is of the view that



since the petitioner has availed the alternative remedy by way of filing an appeal and the same is pending consideration before the appellate authority, it would be appropriate, at this stage, to dispose of the writ application directing the appellate authority to hear and decide the appeal of the petitioner, in accordance with law, after affording ample opportunity of hearing to the petitioner by passing a reasoned and speaking order, preferably, within a period of three months from the date of receipt of a copy of this order.

5. Accordingly, the present writ application stands disposed of on the aforesaid terms.

(Praveen Kumar, J)

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