

(2010) 10 PAT CK 0106
In the Patna High Court
Case No : CWJC No. 1031 of 2004

Shibendra Kumar Singh

APPELLANT

Vs

The Muzaffarpur Central Co-operative Bank Ltd. and Others

RESPONDENT

Date of Decision : 29-10-2010

Acts Referred:

Citation : (2011) 1 PLJR 356

Hon'ble Judges : V.N. Sinha, J

Bench : Single Bench

Judgement

V.N. Sinha, J.—Heard learned Counsel for the Petitioner and the counsel for the Muzaffarpur Central Co-operative Bank Ltd. (hereinafter referred to as the Bank).

2. Petitioner at the relevant time served as Branch Manager, Mushahari Branch of the Bank. He is aggrieved by the suspension order dated 22.7.1993, Annexure-1 on the ground that suspension and proceeding has continued for about 17 years, yet has not been finalized, on the ground of delay in disposal of the departmental proceeding, prayer is to quash the suspension order.

3. Counsel for the Bank has opposed the prayer. He states that earlier the proceeding was concluded and Petitioner was dismissed but the dismissal order was set aside by this Court under judgment dated 9.8.2000, passed in C.W.J.C. No. 4021 of 1996, Annexure-6 whereafter Petitioner has again been reinstated in service and placed under suspension, the proceeding is continued and could not be finalized as Petitioner prayed for time. Counsel for the Bank, however, admitted that Enquiry Officer was also changed from time to time, as such, on account of change of the Enquiry Officer, proceeding could not be concluded.

4. Having heard counsel for the Petitioner and the Bank, I am of the view that suspension having been continued for about 17 years, it is high time that the suspension order dated 22.7.1993, Annexure-1 should be quashed, which is, accordingly, quashed and the proceeding initiated against the Petitioner is directed to be continued, arrears of salary of the Petitioner for the suspension

period shall be subject to the result of the departmental proceeding.

5. The writ petition is, accordingly, disposed of.