IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Review No.404 of 2011
In
Civil Writ Jurisdiction Case No. 5739 of 2011

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1. Vijay Bahadur Sinha S/o Late Captain Rajendra Prasad Sinha Resident Of Village-Manohar Basant, P.S. Basant, District- Saran

.... Petitioner/s

Versus

1. The Bank Of India Through Its Chairman-Cum-Managing Director Head Office, Mumbai
2. Zonal Manager, Patna Zone And The Appellate Authority Chankya Place Birchand Patel Path, Patna
3. The Chief General Manager (HR) And Disciplinary Authority Bank Of India, Chankya Place Birchand Patel Path, Patna
4. The Branch Manager, Bank Of India Buxar Branch Buxar.

.... Respondent/s/O.Ps

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Appearance:
For the Petitioner/s : Mr. Chandrashekhar, Sr. Advocate
For the Respondent Bank of India : Mr. Rupak Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL

ORAL ORDER

3 29-02-2012 Heard the parties.

Petitioner has filed the present review application seeking amendment in the last paragraph of the order dated 15.09.2011 passed in CWJC No. 5739 of 2011 which reads as under:-

> "The petitioner shall file his representation in respect of the impugned portion of the appellate order before the respondent-appellate authority within four weeks from today. The said respondent shall consider his representation and thereafter pass a fresh order in accordance with law. The impugned portion of Annexure-5 shall not preclude the said respondent from passing a fresh order in accordance with law on consideration of the representation of the petitioner."

Learned counsel appearing in support of the application submits that the aforesaid portion of the order be reviewed and amended permitting the petitioner a personal hearing by the authority who has been directed to take decision on the said representation. It is further contended that a time frame be specified for the respondent to take decision afresh.

Learned counsel for the opposite parties, opposes the application. It is contended that review of the order in the manner the petitioner seeks would not be permissible in view of the narrow confines of the jurisdiction invoked. He, however, submits that once such representation is filed the authority of the Bank is obliged to examine the same afresh and take appropriate decision in terms of the order dated 15.09.2011.

Having heard the parties, in my view, the petitioner has not been able to make out a case for review of the order. This Court, however, records the stand of the respondent Bank that once such representation is filed the same shall be examined and appropriate decision in accordance with law shall be taken thereon in the light of the order dated 15.09.2011 as quickly as possible.

Learned counsel for the petitioner, at this stage, submits that the petitioner be permitted to file representation as per order dated 15.09.2011 within a period of 03 weeks from

today. Mr. Rupak Kumar, learned counsel for the Bank, fairly does not object to the aforesaid prayer of the petitioner.

This Court, considering the facts and circumstances of the case, while declining the prayer made in the review application permits the petitioner to file his representation in the light of order dated 15.09.2011 within a period of 03 weeks from today.

The application stands disposed of.

(Kishore Kumar Mandal, J)

Shyam/-