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Court : Patna

Decided On : May-16-2002

Judge : Ravi S. Dhavan, C.J. and R.N. Prasad, J.

Appeal No. : L.P.A. No. 619/2002

Appellant : Dilip Kumar

Respondent : Vaishali Kshetriya GramIn Bank and ors.

Disposition : Appeal dismissed

Judgement :

1. This appeal has been filed against the order, dated April 9, 2002, on C.W.J.C. No. 4343 of 2002. The petitioner-appellant Dilip Kumar, who was working with the Vaishali Kshetriya Gramin Bank, faced a departmental proceeding and the misdemeanor virtually bordered on making allegations against him for misappropriation.

2. At best, the petitioner-appellant could explain that it was only a temporary misappropriation. Two constituents had given him a certain amount of money to deposit in their accounts which the petitioner-appellant did not but retained it. For other charges he was given an opportunity either to deny or accept them but he did not do. After a departmental inquiry, he was given a punishment of reduction of two increments in the incremental scale for four years with the postponement having effect of postponing future increments.

3. The petitioner-appellant is lucky that he was not dismissed from service. There is no occasion for the Court to interfere with the order of the learned Judge of the writ petition.

4. The Court needs to record in this order that the lawyer, who has filed the appeal, has not appeared and his brief holder Sri Pankaj Kumar has submitted on the appeal.

5. Dismissed.

6. A copy of this order be sent to the bank concerned.

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