

**HIGH COURT OF TRIPURA
AGARTALA**

WP(C) No.1040 of 2022

Sri Sajal Paul and 19 Ors.

....**Petitioner(s)**

Versus

Punjab National Bank and 3 Ors.

....**Respondent(s)**

For the Petitioner(s) : Mr. P. Roy Barman, Sr. Advocate

Mr. K. Nath, Advocate

For the Respondent(s) : Mr. A. Roy Barman, Advocate

Date of hearing and
delivery of
judgment & order : **17/05/2023**

Whether fit for reporting : **No**

HON'BLE MR. JUSTICE ARINDAM LODH

Judgment and Order (Oral)

Heard Mr. P. Roy Barman, learned senior counsel assisted by Mr. K. Nath, learned counsel appearing for the petitioners. Also heard Mr. A. Roy Barman, learned counsel appearing for the respondents-Bank.

2. By means of filing the present writ petition, the petitioners have prayed for regularization of their services.

3. It is the case of the petitioners that they have been rendering service to the Bank-respondents as “Badli Sweepers” for the last several years, but, till today their services have not been considered for regularization. The petitioners have approached this Court by way of filing the present writ petition claiming regularization of their services as Part-time Sweepers.

4. Mr. Roy Barman, learned counsel for the respondents-Bank would contend that the services of the petitioners are not required at all. They are not engaged on regular basis. They render their services on the days as and when required. After amalgamation of United Bank of India and Punjab National Bank, the authorities concerned after assigning the financial constraints of the bank felt it necessary that the services of such huge number of “Badli Sweepers” are not required at all.

6. At the very outset, Mr. Roy Barman, learned counsel for the respondents submitted that this writ petition is well covered by the judgment of this Court dated 19.04.2023 passed in **WP(C) No.708 of 2021** titled as **Sri Surajit Das & 38 Ors vs. The Union of India & 2 Ors.** This proposition has not been opposed by learned counsel appearing for the petitioners.

7. The relevant portion of the said judgment may be reproduced here-in-below:

“7. It is settled proposition of law that regularization of services of an employee is not a matter of right, but, it is a right to be considered. The authorities concerned are the best persons to decide whether the services of the present petitioners are at all required or not considering their financial position.

8. Mr. Roy Barman, learned counsel appearing for the bank emphatically submits that the bank has been suffering from serious financial constraints and there is no scheme prevailing in the bank to regularize the ‘Badly Sweepers’.

9. This Court has given thoughtful consideration to facts of the case as well as the submission of learned counsel appearing for the parties. It appears that the petitioners have been rendering their services as ‘Badly Sweepers’, though, not regularly, but, for a long period of time.”

8. In the present case, it has been brought to the notice of this Court by Mr. Roy Barman, learned senior counsel appearing for the petitioners that the Bank has a policy dated 2nd July, 2010 relating to recruitment and posting of Part-time/Full-time Sweepers in the Bank. This fact was not brought to notice of this Court in the case of *Sri Surajit Das(supra)*. Since, there is a specific policy as stated above, the Bank-respondents should make an endeavour to consider the engagement of the petitioners as per the policy decision dated 2nd July, 2010 relating to recruitment and posting of Part-time/Full-time Sweepers in the Bank.

The entire process for consideration of the recruitment of the petitioners may be completed within 3(three) months.

With the above observation and directions, the instant writ petition stands disposed.

Pending application(s), if any, also stands disposed.

JUDGE



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