

GAHC010186062021



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : Cont.Cas(C)/453/2021

RAJIB KUMAR DAS
S/O LATE LILADHAR DAS, R/O KAMAKHYA TEMPLE ROAD, KAMAKHYA
NURSERY, LALITA NAGAR, P.O.-BHARALUMUKH, DIST- KAMRUP(M),
GUWAHATI-9, ASSAM

VERSUS

SUBHASH KUMAR KESHAV AND 2 ORS
REGIONAL HEAD, UNION BANK OF INDIA, A PUBLIC SECTOR BANK
CONSTITUTED UNDER THE BANKING COMPANIES (ACQUISITION AND
TRANSFER OF UNDERTAKING) ACT, 1970 HAVING ITS HEAD OFFICE AT
239, VIDHAN BHAVAN MARG, NARIMAN POINT, MUMBAI-400021,
MAHARASHTRA AND HAVING ITS REGIONAL OFFICE, UNION BANK OF
INDIA, GUWAHATI, GNB ROAD, CHANDMARI, DIST-KAMRUP(M), ASSAM,
GUWAHATI-3, REGIONAL HEAD

2:VENKATA NAGA SREEKANTH KOLIPAKAM (SREEKANTH KVM)
THE DEPUTY REGIONAL HEAD
UNION BANK OF INDIA
REGIONAL OFFICE
GUWAHATI
GNB ROAD
CHANDMARI
DIST- KAMRUP(M)
ASSAM
GUWAHATI-3

3:SUMAN KUMAR
CHIEF MANAGER
UNION BANK OF INDIA
REGIONAL OFFICE
GNB ROAD

CHANDMARI
DIST- KAMRUP(M)
ASSAM
GUWAHATI-

Advocate for the Petitioner : MR. S K DAS

Advocate for the Respondent : MR. M SHARMA (P1,2,3)

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

22.09.2023

Heard Mr. D. Barman, learned counsel for the petitioner. Also heard Mr. M. Sharma, learned counsel for the respondents.

This contempt petition is filed by the petitioner alleging willful and deliberate non-compliance of the order dated 06.11.2020 passed by a co-ordinate Bench of this Court in WP(C) no.8353/2019. By the said order the following directions were passed:

“

5. Be that as it may, in the meantime, the mother has also furnished the required information of her occupation and source of income before the bank authorities. Instead of keeping the matter hanging as because of some wrong information was given earlier, we are of the view that the ends of justice would be met if the authorities make a final decision on the claim for compassionate appointment of the petitioner. In doing so the information provided by the mother of the petitioner as regards her occupation and income be also taken into account and thereafter, pass a reasoned order either accepting or rejecting the claim for compassionate appointment as may be advised.

6. Mr. S.K. Das states that in the meantime the mother has also been taken VRS and is not serving at present. Such information be also taken into consideration for arriving at a reasoned decision.”

Learned counsel for the petitioner submits that thereafter an application dated 11.08.2201 was filed by the petitioner before the competent authority requesting for compliance of the order of this Court. However, no order as directed by this Court was forthcoming from the competent authorities and being aggrieved, the petitioner has filed this contempt petition.

Mr. M Sharma, learned counsel for the respondents submits that the Managing Director of the Bank is the concerning officer who decide the appointment under the compassionate ground in the said Bank and accordingly, the case of the petitioner is presently pending before the said authority. Mr. M Sharma submits that the matter will be decided by the authority within a very short period.

Upon hearing the learned counsel for the parties and upon perusal of the pleadings on record, this Court considers it apposite to dispose of the present contempt petition as no specific time limit was granted to comply the order passed by this Court in its order dated 06.11.2020 passed in WP(C) no.8353/2019. Taking note all the submissions made by the learned counsel for the Bank, more particularly, the submission of the learned counsel that the matter is presently under consideration before the Head Office of the Bank in Mumbai, this Court considers it appropriate to close this Contempt Petition at this stage with a direction to the banking authorities to consider the application of the petitioner and shall pass appropriate speaking order thereof as expeditiously as possible within the outer limit of 60 (sixty) days from the date of receipt of a certified copy of this order in the Regional Office. The learned counsel for the respondents is at liberty to communicate this order to the Head Office of the Bank in Mumbai.

Any further document as may be required at the time of deciding the application may be called for from the petitioner and if so done, the petitioner will file such necessary document within a shortest possible period.

With the above observations, the contempt petition stands disposed of.

JUDGE

Comparing Assistant