

**HIGH COURT OF TRIPURA
AGARTALA**

WP(C) No.590 of 2023

1. **Sri Sajal Paul**, S/o- Lt. Satyendra Kumar Paul, R/o- Ragna, Dharmanagar, North Tripura, Pin - 799251. (Age - 49 years)
2. **Sri. Shintu Basfore**, S/o- Lt. Ratan Basfore, R/o- Harijan Coloni, 15 mouja, Agartala, PO- Dhaleswar, West Tripura, Pin - 799007, (Age - 40 years)
3. **Sri. Abhijit Dasgupta**, S/o- Lt. Khokan Dasgupta, R/o- Vill and PO- Howaibari, PS- Teliamura, District - Khowai, Pin - 799205 (Age- 35 years)
4. **Sri. Babul Kanti Sarkar**, S/o- Lt. Amar Chandra Sarkar, R/o- Vill and PO- Radhanagar, PS- P.R Bari, Belonia, South Tripura, Pin-799155(Age- 51years)
5. **Sri. Narayan Debnath**, S/o- Sri. Amar Chan Debnath, R/o- Vill and PO- North Charilam, PS- Bishalgarh, District- Sipahijala, Pin - 799107 (Age- 41years)
6. **Sri. Sanjoy Paul**, S/o- Manik Paul, R/o- Bichitra Das Para, Manu Ghat, District - Dhalai, Tripura, Pin - 799275 (Age- 28 years)
7. **Sri. Asit Das**, S/o- Lt. Narmada Das, R/o- Ratiabari, Kumarghat, Unakoti, Tripura, Pin - 799277, (Age - 34 years)
8. **Sri. Abhijit Debnath**, S/o- Jatindra Debnath, R/o- Vill. Nalgariya, Ranirbazar, Tripura, Pin-799035 (Age-33 years)
9. **Sri. Raju Deb**, S/o- Sunil Deb, R/o- Subhash Palli, Baruakandi, Chandrapur, North Tripura, Pin - 799251, (Age - 40 years)
10. **Sri. Sanjoy Debnath**, S/o- Sudarshan Debnath, R/o- Baruakandi, PS - Dharmanagar, North Tripura, Pin - 799250, (Age - 41years)
11. **Smt Bali Rani Saha**, D/o- Lt. Subhash Chandra Saha, R/o- Amtali Sanitilla, PO and PS - Amtali, West Tripura, Pin - 799130, (Age - 39 years)
12. **Sri. Pintu Banik**, S/o- Sukumar Banik, R/o- Vill. Gourangatilla, Teliamura, District- Khowai, Tripura, Pin- 799205, (Age - 33 years)
13. **Sri. Ajit Roy**, S/o- Lt. Nripendra Roy, R/o-Vill- Krishnanagar, PO- Halhali, Dhalai, Tripura, Pin - 799286, (Age - 47years)
14. **Sri. Sujit Chandra Sutradhar**, S/o- Lt Sunil Ch Sutradhar, R/o- Jagatpur Kabarkhala, Agartala, Pin - 799005, (Age - 47years)
15. **Smt. Sabita Debnath**, W/o- Manindra Debnath, R/o- Bhowalia Basti, Ambassa, Dhalai, Tripura, Pin - 799289, (Age - 51 years)
16. **Sri Milton Acharjee**, S/o- Milon Acharjee, R/o- Krishnanagar, PO- Halhali, PS-Kamalpur, Dhalai, Tripura, Pin - 799286,(Age - 33 years)
17. **Sri Ajit Das**, S/o- Rabindra Das, R/o- Charipara, PS- Amtali, Agartala, Tripura, Pin - 799003, (Age - 35 years)
18. **Sri. Gopal Ghosh**, S/o- Lt. Nepal Ch Ghosh, R/o- Chinaihani, PS and PO- Agartala Airport, Tripura, Pin - 799009 (Age - 52 years)
19. **Sri. Khokan Sarkar**, S/o- Lt Nagendra Sarkar, R/o- Rajghat, Near Nayantara A.W.C, Melaghar, West Tripura, Pin - 799115, (Age - 55years)
20. **Sri. Srikant Hore**, S/O- Mrinal Kanti Hore, R/O- Village - Bichitra Das Para, P.O and P.S- Manughat, District - Dhalai.

....Petitioner(s)

Versus

- 1. Punjab National Bank**, to be represented by the Chief General Manager, Punjab National Bank, Head Office, Plot No.4, Sector - 10, Dwarka, New Delhi, 110075
- 2. Chief General Manager**, Punjab National Bank Head Office, Plot No. 4, Sector 10, Dwarka, New Delhi-110075
- 3. DJM and Circle Head**, Circle Office, Punjab National Bank, Agartala Circle, Durgabari Road, Agartala, West Tripura.
- 4. Deputy General Manager**, Human Resource Management Department, Punjab National Bank, Human Resources Division, Corporate Office, Sector 10, Dwarka, New Delhi, 110075.

....Respondent(s)

For the Petitioner(s)	:	Mr. P. Roy Barman, Sr. Advocate Mr. K. Chakraborty, Advocate
For the Respondent(s)	:	Mr. A. Roy Barman, Advocate
Date of hearing & delivery of judgment & order	:	09.09.2024
Whether fit for reporting	:	No

HON'BLE MR. JUSTICE ARINDAM LODH

Judgment & Order (Oral)

Heard Mr. P. Roy Barman, learned senior counsel assisted by Mr. K. Chakraborty, 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 instant writ petition, the petitioners who are discharging their duties under the respondents for past considerable years have sought for upgradation of their service status to Part-time Sweeper and also to regularize them in that status.

3. Mr. Roy Barman, learned senior counsel for the petitioners has submitted that this is the fourth round of litigation. Learned senior counsel has also submitted that this writ petition can be disposed of with a direction upon the respondents to consider the case of the petitioners. The attention of this Court has been drawn to Sub-clause VI of Clause 2 of the Circular

No.PA(AS)/PA(AS)/5/OM-0197/10-11 dated 2nd July, 2010(Annexure-5 to the writ petition) which stated that *“for filling up the vacancy of Part-time sweepers in branches/offices within the jurisdiction of the Regional Offices, the cases of the existing Badli Sweepers will be considered”*.

4. According to learned senior counsel for the petitioners this Clause confers a right upon the petitioners to claim their upgradation to the post of Part-time Sweepers.

5. Opposing the submissions of learned senior counsel for the petitioners, Mr. A. Roy Barman, learned counsel for the respondents-Bank has submitted that the said circular was issued by the erstwhile United Bank of India which has no existence at present and the said bank has been amalgamated with the Punjab National Bank. Punjab National Bank (PNB, for short) has no such policy; and further PNB has introduced its own policy in the year 2020 wherein all appointments on temporary basis has been banned (Annexure-R/2 to the counter affidavit).

6. In my opinion, there is no impediment for the new management to draw its own policy superseding the earlier policy/policies involving any subject or issue.

7. In the instant writ petition there is no material before this Court showing the existing vacancies of Part-time Sweepers under the respondents.

8. I have considered the relevant Clause 2(VI) *“for filling up the vacancy of Part-time sweepers in branches/offices within the jurisdiction of the Regional Offices, the cases of the existing Badli Sweepers will be considered”*.

9. In view of this, I direct the respondents to consider the upgradation of Badli Sweepers to Part-time sweepers, if any initiative is

taken by PNB for filling up the vacancies relating to Part-time Sweepers that exist in the Bank at present. I make it clear that in absence of determination of number of vacancies, this Court is unable to pass any blanket order to upgrade the present Badli Sweepers to the post of Part-time Sweepers.

In light of the above observations and directions, the instant writ petition stands disposed.

JUDGE

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KAR

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