



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

Case No. : WP(C)/632/2023

Miss Sonal Dubey
D/o Lt. S.N Dubey, R/o D Sector, Naharlagun, Papum Pare District,
Arunachal Pradesh. Mob. 8413945016.

VERSUS

The Managing Director and Anr.
State Coop, Apex Bank Ltd. H.O Naharlagun (D Sector), Papum Pare,
Arunachal Pradesh. Pin 791110

2:The Branch Manager of Apex Bank.
Age: 0
Occupation :
Naharlagun Division District Papum Pare Arunachal Pradesh. Pin 79111

Advocate for the Petitioner : Chorpok Modi

Advocate for the Respondent : Minter Karbak

BEFORE
HONBLE MR. JUSTICE N. UNNI KRISHNAN NAIR

ORDER

Date : 13-03-2024

Heard Mr. C. Modi, learned counsel for the petitioner. Also heard Mr. P. Taffo,

learned Standing counsel for the Apex Bank Limited, representing the respondents no. 1 & 2.

2. The issue raised in the present proceedings is pertaining to the claim of the petitioner for being appointed on compassionate grounds against the post commensurating to her educational qualification.

3. The father of the petitioner, while serving as a Cashier had died in harness on 27.07.2020. The petitioner being otherwise, eligible for being employed in the respondent Bank, had submitted appropriate applications for appointment on compassionate ground. Although, the Bank authorities had not extended to the petitioner an appointment against a regular vacant post, however, the Bank authorities vide order dated 23.02.2021 permitted the petitioner to work as a Multitasking Staff on a fixed pay of Rs. 10,000/- (ten thousand) on compassionate ground. Accordingly, the petitioner continued in her services in such capacity. Thereafter, the Human Resource Management Committee of the Bank, in its 25th meeting, held on 22.12.2022, recommended that the case of the petitioner be considered for appointment on adhoc basis as Messenger in the scale of pay of Rs.5,200 + 20,000/- plus Grade pay of Rs.1900/- per month w.e.f. 01.01.2023. The said appointment, as recommended by the Human Resources Management Committee of the Bank, not having complied with, the petitioner had instituted the present proceedings praying for a consideration of here representation dated 10.11.2023, wherein, the petitioner has prayed for regularisation of her services and has also prayed that in the meantime, she having acquired the qualification for being appointed against the post of Cashier, she be also considered for appointment against such post.

4. On 11.03.2024, when the matter was taken up for consideration, this Court noticing the facts as existing in the matter, had required the learned Standing counsel of the respondent Bank to explore as to whether the petitioner can be appointed against a permanent vacant post and authorised a scale of pay. Accordingly, Mr. Taffo, learned Standing counsel of the Bank has produced before this Court, an order dated 12.03.2024 by which the respondent Bank has appointed the petitioner as Messenger in the pay scale of Rs.5,200 + 20,000/- plus Grade pay of Rs.1900/- per month, with immediate effect.

5. In view of the above position, the petitioner being appointed against a permanent vacant post, no further adjudication in the present proceedings is called for.

6. Accordingly, the writ petition stands disposed of.

7. However, the petitioner's case for compassionate appointment having been recommended by the Human Resource Management Committee of the Bank in its meeting held on 22.12.2022, for appointment against the post to which she was so appointed, now vide the order dated 12.03.2024, w.e.f. 01.01.2023, the liberty is granted to the petitioner to submit appropriate application before the Managing Director of the respondent Bank praying that the appointment as effected in her case on 12.03.2024 be now given retrospective effect from 01.01.2023, with all consequential benefits.

8. In the event of such application being filed, the respondent authorities shall consider the same on its own merits and dispose of the same by way of a

Page No.# 4/4

speaking order.

Comparing Assistant

JUDGE