

GAHC010083272019



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

**Case No. : WP(C)/2620/2019**

ASSAM GRAMIN VIKASH BANK EMPLOYEES ASSOCIATION  
C/O ASSAM GRAMIN VIKASH BANK, H.O.-MAHAPURUSH SREEMONTO  
SANKAR DEV PATH, BHANGAGARH, GUWAHATI-781005, REPRESENTED  
BY ITS GENERAL SECRETARY

VERSUS

ASSAM GRAMIN VIKASH BANK AND 3 ORS.  
REPRESENTED BY ITS CHAIRMAN, HEAD OFFICE-SRIMANTA MAHADEV  
SANKARDEV PATH, BHANGAGARH, GUWAHATI-781005

2:THE CHAIRMAN  
ASSAM GRAMIN VIKASH BANK  
SRIMANTA MAHADEV SANKARDEV PATH  
BHANGAGARH  
GUWAHATI-781005

3:THE STATE OF ASSAM  
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF ASSAM  
MINISTRY OF FINANCE  
ASSAM SACHIVALAYA  
DISPUR  
GUWAHATI-781005

4:THE UNION OF INDIA  
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF INDIA  
MINISTRY OF FINANCE  
NEW DELHI-11000

**Advocate for the Petitioner : MR A DASGUPTA**

**Advocate for the Respondent : ASSTT.S.G.I.**

**BEFORE  
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR**

**ORDER**

**Date : 29.07.2024**

Heard Mr. A. Dasgupta, learned counsel for the petitioner. Also heard Mr. D. Choudhury, learned counsel for the respondent Bank.

The respondent Bank by way of filing an affidavit has raised a preliminary objection to the effect that the Employees Association as petitioner has instituted the present proceeding in respect of eight number of Drivers, which the Bank contends were never recruited by them even on casual and or adhoc basis.

It is contended by the learned counsel for the respondent Bank that the said Drivers were so engaged by certain officers in their personal capacity for the works involved.

Mr. A. Dasgupta, learned counsel for the petitioner submits that the present writ petition be permitted to be withdrawn and liberty be granted to the concerned Drivers to approach this Court, if the occasion so necessitates.

Having considered the above submission, it is noted that the Employees Association has instituted the present proceeding without any *locus* inasmuch as, the persons on whose behalf the present petition was so instituted were not employees of the respondent Bank and accordingly, cannot be treated to be members of the petitioner Association.

Accordingly, in view of the above position, the prayer of the petitioner is

accepted and the writ petition stands dismissed on withdrawal.

**JUDGE**

**Comparing Assistant**