



CNR: KAHC010170702024

NC: 2026:KHC:43055
WP No. 9160 of 2024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 3RD DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE ASHOK S.KINAGI

WRIT PETITION NO. 9160 OF 2024 (S-RES)

BETWEEN:

RAJESH G
S/O G GANGAPPA,
AGED ABOUT 44 YEARS,
WORKING AS SENIOR MANAGER,
BANK OF BARODA,
41/2, M.G.ROAD, TRINITY CIRCLE,
BANGALORE - 01

AND RESIDING AT NO.828, 5TH CROSS,
9TH MAIN, 1ST STAGE, HRBR LAYOUT
1ST BLOCK, KALYANA NAGAR
BANGALORE - 560 043.

Digitally
signed by
KIRAN
KUMAR R
Location:
HIGH COURT
OF
KARNATAKA

...PETITIONER

(BY SMT. VIDYA SELAMONY, ADVOCATE)

AND:

1. BANK OF BARODA
BARODA CORPORATE CENTRE,
C-26, G BLOCK, BANDRA KURLA COMPLEX,



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BANDRA EAST,
MUMBAI - 400 051
BY THE MANAGING DIRECTOR.

2. CHIEF GENERAL MANAGER (HRM)
BARODA CORPORATE CENTRE,
C-26 G BLOCK, BANDRA KURLA COMPLEX,
BANDRA EAST,
MUMBAI - 400 051.

...RESPONDENTS

(BY SRI. P. UDAYASHANKAR RAI, ADVOCATE)

THIS WP IS FILED UNDER ARTICLE 226 OF THE
CONSTITUTION OF INDIA PRAYING TO QUASHING THE ORDER
BEARING NO.HRM.HR-O/115/90 DATED 03.01.2023 PASSED BY
THE R2 (ANNEXURE-A). THE REPLY BEARING
NO.HO.HRM.115.2038 DTD 10.07.2023 ISSUED BY THE R2
(ANNEXURE-D).AS THE SAME ARE ILLEGAL, ARBITRARY,
UNCONSTITUTIONAL AND VIOLATIVE OF ARTICLES 14 AND 21
OF THE CONSTITUTION OF INDIA AND ETC.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY,
ORDER WAS MADE THEREIN AS UNDER:



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CORAM: HON'BLE MR. JUSTICE ASHOK S.KINAGI

ORAL ORDER

Petitioner has filed by this writ petition seeking for the following reliefs :

a. Issue writ of certiorari or any other appropriate writ or order to quashing;

i) the order bearing No.HO:HRM:HR-O/115/90 dated 03.01.2023 passed by the 2nd Respondent (Annexure-A)

ii) the reply bearing No.HO:HRM 115:2038 dated 10.07.2023 issued by the 2nd respondent (Annexure-D),

as the same are illegal, arbitrary, unconstitutional and violative of Articles 14 and 21 of the Constitution of India;

b) Issue a writ of mandamus, directing the Respondents to consider the claim of the petitioner for grant of notional promotion to the posts of Scale-IV, V, VI and VII from the dates on which he became eligible for the same and grant him the benefit of fitment scale of pay at an appropriate stage in scale-VII officer's post;

c) Issue a writ of mandamus, directing the Respondents to disclose the marks obtained by all the candidates including the petitioner in the ongoing promotion process for the post of Scale III to IV and furnish the list of all the candidates who have obtained



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the benchmark marks in the written test for the scale III to IV along with the list of 120 questions along with right answers and the answer chosen by the petitioner.

d) Grant such other appropriate writ, order or direction as this Hon'ble Court deems fit in the facts and circumstances of the case including the cost, in the interest of justice and equity."

2. The brief facts leading to filing of this writ petition are as follows :

The petitioner joined the erstwhile Vijaya Bank, which is now amalgamated with the respondent No.1-Bank, as a Scale-II Manager (Public Relations). The petitioner also earned one promotion to the post of Scale-III Senior Manager (Public Relations) in the month of June 2014. His probationary period was declared upon the completion of one year of service on 30.08.2008. The petitioner was considered as a Specialist Officer throughout in the Vijaya Bank. As a Specialist Officer, the petitioner was required to work only in the area of public relations, such as, handling press and media, advertisement, protocol, organizing events and parliamentary committees



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etc., The petitioner became eligible and qualified to be promoted to the Scale-III. In fact, he also participated in the process of promotion held during 2011 conducted by the erstwhile Vijaya Bank. However, he was not promoted during 2011. The petitioner met with the same fate even during the promotion process held during 2012 and 2013. Several of the juniors were however promoted by overlooking the seniority of the petitioner. In the month of June 2014, the petitioner was promoted to the Scale-III Officer and he became eligible and qualified for the promotion to the Scale-IV Officer post. In 2018, although the promotion process was held, the petitioner was again overlooked. The erstwhile Vijay Bank was amalgamated with respondent No.1-Bank. The services of the petitioner were taken over by respondent No.1-Bank and he continued in the Zonal Office, Bengaluru, in the Public Relations stream for some time.



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3. Respondent No.1 initiated promotion process from Scale-III Senior Manager to the Chief Manager - Scale-IV. Upon such initiation, the petitioner came to know that he has been treated as a Generalist Officer which was to his disadvantage, inasmuch as, in Public Relations stream, he would have got accelerated promotions. Hence, the petitioner submitted a representation through mail to the HR Head requesting him to treat him as a Specialist Officer, which was considered by the competent authority and changes have been made in the Bank records.

4. Petitioner also submitted a representation to the respondent-Bank requesting to consider his claim for promotion to Scale-IV Officer. The respondent-Bank did not consider the same. Being aggrieved by the same, petitioner approached this Court in Writ Petition No.18420/2022 seeking for a writ of mandamus directing the respondents to promote him to Scale-VII during the year 2022. During the pendency of the writ petition, he was converted as a Generalist Officer by the respondent-



Bank for all practical purposes by the order dated 03.01.2023 produced at Annexure-A and petitioner submitted a representation on 20.01.2023 requesting the respondent-Bank to revert him as a Specialist Officer. The Writ Petition came to be disposed of by the order dated 14.03.2023, directing the respondent-Bank to consider the representation of the petitioner and to pass appropriate orders. Thereafter, the respondent-Bank started victimising the petitioner ostensibly for having knocked the doors of this Court, hence, this writ petition.

5. The respondent-Bank has filed statement of objections raising several grounds and it is contented that the petitioner has submitted a representation and also filed a writ petition in W.P.No.18420/2022 and in compliance of the order, the petitioner submitted a representation dated 15.03.2023. The respondent-Bank after considering the various grievances made out by the petitioner in the representation, sent a reply dated 10.07.2023 stating that his claim for notional promotion to



Scale-VII cannot be considered and also his request to revert him as a Specialist Officer cannot be considered vide Annexure-D and hence, prays to dismiss the writ petition.

6. Heard the learned counsel for the petitioner and learned counsel for the respondents.

7. Learned counsel for the petitioner submitted that petitioner was appointed as a Specialist Officer in the erstwhile Vijaya Bank. Now the respondent-Bank has converted the said post of Specialist into Generalist. Before passing the order, the respondent-Bank has not given any opportunity to put forth the case of the petitioner. Thus, the order vide Annexure-A is in violation of principles of natural justice. Thus, on this ground, prays to quash the order at Annexure-A.

8. On a specific query put to the learned counsel for the respondent as to whether before passing the order vide Annexure-A, any opportunity was provided to the



petitioner, the respondent has fairly conceded that no opportunity was provided to the petitioner before passing the order vide Annexure-A. He submitted that respondent No.2 will reconsider the case of the petitioner and pass appropriate order in accordance with law.

9. Perused the records and considered the submissions of the learned counsel for the parties.

10. It is an undisputed fact that the petitioner was appointed as a Specialist Officer in the erstwhile Vijaya Bank. The said Vijaya Bank was amalgamated with the respondent No.1-Bank. The respondent No.1-Bank instead of continuing the petitioner as a Specialist Officer, has converted into Generalist. Before passing the impugned order vide Annexure-A, no opportunity was provided to the petitioner to put forth his case. Thus, the impugned order passed by the respondent No.2 is in violation of principles of natural



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justice. Hence, only on this ground, Annexure-A is liable to be quashed.

11. Accordingly, I proceed to pass the following order:

ORDER

(i) The Writ Petition is ***allowed in-part***.

(ii) The order dated 03.01.2023, passed by the respondent-Bank vide Annexure-A is hereby quashed.

(iii) The Respondent No. 2 is directed to reconsider the representation of the petitioner afresh and pass appropriate orders after providing an opportunity of personal hearing to the petitioner.

All the contentions of the parties are kept open.

In view of disposal of the writ petition, IA.No.2/2026 does not survive for consideration.

Sd/-
(ASHOK S.KINAGI)
JUDGE

BK
List No.: 1 Sl No.: 43