

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1413 of 2005

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Sri Ramshankar Choudhary son of Late Raghubir Choudhary r/o village Majhaulia (Desaipatti) P.S.Rmeshwar Nagar, Ashok Paper Mill via Laheriasarai District Darbhanga.

.... Petitioner/s

Versus

1. State Bank of India & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. None.

For the Respondent/s : Mr. None.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

12 07-01-2015

No one appears either on behalf of the petitioner or on behalf of respondents.

This is an old matter of the year 2005 and this Court had heard the parties earlier.

The petitioner was appointed a messenger in July 1973. The State Bank of India floated a Voluntary Retirement Scheme (in short, 'VRS') and in pursuance of the same, petitioner applied for VRS which was accepted and communicated to him vide letter dated 27th March 2001.

The grievance of the petitioner is that while computing the benefits, authorities have taken the services of 23 years whereas petitioner has served the Bank for 28 years and thereby disputed the VRS amount.

From the counter affidavit it appears that though the

petitioner had served the Bank for 28 years i.e. for 27years, 8 months and 27 days but he remained on leave without pay for 4 years, 10 months and 9 days and in terms of Rule 28 of the SBI VRS Rule petitioner was entitled to the benefit on the basis of actual work done by him. Accordingly, the payment was made to the petitioner.

As mentioned in the counter affidavit petitioner has been paid all admissible retiral dues on 31st March 2001 and he has also been paid the arrear of pay in terms of Rule 21(i) of the SBI Pension Fund Rules and it has been claimed that the relief sought for in the writ petition is completely unsustainable.

In view of the statement made in the counter affidavit which has not been dispute d by the petitioner, this Court finds that the petitioner has been paid in terms of the SBI VRS Rules and there was error in reckoning the period of service for the purpose of computation of amount of compensation as per VRS Scheme.

In such view of the matter, this petition does not survive. Accordingly, it is dismissed.

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(Shivaji Pandey, J)