

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9905 of 2015

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Ravi Kumar s/o Late Dilip Kumar, Resident of Mohalla Chawar Takiya,
P.S. Sasaram, District Rohtas.

.... Petitioner/s

Versus

1.The Chief Manager, Personel Administration (Award Staff) Division,
United Bank of India, Head Office-11, Remarta Basu Sarani, Kolkata-
700001.

2.The Regional Manager, United Bank of India, Patna.

3.Branch manager, United Bank of India, Sasaram.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Parmanand Pd. Nr. Sahi, Adv

For the Respondent-Bank : Mr. Binod Bihari Sinha, Adv

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA

ORAL JUDGMENT

2 10-07-2015 Heard learned counsel for the parties.

Having regard to the fact that the mother of the petitioner had accepted the ex gratia amount as provided in the policy of compassionate appointment of the Bank in lieu of compassionate appointment way back in the year 2012, this Court does not now find any reason to allow the petitioner to agitate the claim of his compassionate appointment, inasmuch as, even when the mother of the petitioner under 2005 scheme had received the amount of ex gratia has which been amended in 204 but even that does not either allow reopening of the settled cases or in any event make compassionate



appointment a general rule. In the scheme that has not been now put into force in 2014, it makes a provision that upon a bank employee dying in harness only while discharging official duty of the Bank, his/her family member shall be eligible for appointment on compassionate ground. It is however not the case of the petitioner that his father had died while he was discharging the duty of the Bank.

The submission of Mr. Pramod Kumar Singh learned counsel for the petitioner that the petitioner is ready to refund the amount of ex gratia with interest for being appointed on compassionate ground, may be interesting, but at the same time this court can not issue a direction to the Bank to accept such offer of the petitioner keeping in view that the policy of compassionate appointment which was prevalent in the Bank in the year 2005 and under which the matter had been settled by making payment of ex gratia amount to the mother of the petitioner also accepted by her without any demur or protest did not envisage such a situation of

exchange of a job by refund of ex gratia amount.

That being so, this Court does not find any reason to allow the prayer of the petitioner made in this writ application and it is, accordingly, dismissed.

(Mihir Kumar Jha, J)

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