

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH**

**CWP No.17738 of 2016**

**Date of decision:30.8.2016**

Budhwant Lal Mehta

... Petitioner

Versus

Union of India & ors.

... Respondents

**CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA**

Present: Mr. Harkesh Manuja, Advocate,  
for the petitioner.

**RAJIV NARAIN RAINA, J.(Oral)**

1. The petitioner served with the Indian Air Force as Engine Mechanic from March 1964 to June, 1974. He joined as a Clerk-cum-Cashier in respondent Allahabad Bank, Branch at Jalandhar, Punjab, in December, 1983 and retired on superannuation at the end of September, 2004. After retirement, he made a request to the Bank to include his Air Force service with civil service in the Bank for the purpose of re-fixation of pension by counting the period spent in the Air Force towards qualifying service for pension and other benefits. There has been a spate of correspondence exchanged between the petitioner and the Bank etc. on the moot issue but with no final decision in sight. The petitioner has applied for supply of information under the Right to Information Act, 2005, which has led to supply of certain documents but which are not complete in covering the subject matter. The petitioner has made a

representation to the Head Office and the General Manager of Allahabad Bank on August 20, 2015 copies of which are placed at Annex P-6 and P-7. The petitioner has also relied upon the instructions dated July 30, 2014, copy of which is placed at Annex. P-8. These representations remain pending and Mr. Manuja, appearing for the petitioner submits in the circumstances that his client at the present stage would be satisfied if a direction is issued to the respondent-Bank to take a final decision on the pending representations within reasonable time. The request is in order and is accepted since judicial review is not possible at this stage without the view of the Allahabad Bank known on the request made there being in existence no final decision, one way or the other.

2. As a result, it is deemed appropriate to serve the ends of justice that a direction deserves to be issued to the respondent Bank to consider and decide the representations of the petitioner by passing a speaking order after offering opportunity of hearing to him on his grievance. No prejudice would be caused to the Bank by an ex parte order since this Court has expressed no opinion on the merits of the claim. Hence, the competent authority in the Bank would proceed to pass a final order and communicate the same to the petitioner forthwith. In case, the order is adverse to the petitioner, he would be at liberty to take recourse to challenge the same before the appropriate authority, or judicial forum, as the case may be, if and as advised. The exercise be completed within a period of six weeks from the date of receipt of a certified copy of this order.

3. With the above observations and directions, the petition

stands disposed of.

4. Order dasti.

(RAJIV NARAIN RAINA)  
JUDGE

30.8.2016  
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| <i>Whether speaking/reasoned</i> | <i>Yes</i> |
| <i>Whether Reportable:</i>       | <i>No</i>  |