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

CWP No.19449 of 2015

Date of decision: January 08, 2016

Smt. Ranjit Kaur

.....Petitioner

Versus

State Bank of India and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. P.K. Sharma, Advocate
for the petitioner.

SABINA, J

Petitioner has filed this petition challenging the replies Annexures P-4 and P-7 submitted by respondent No.2.

Learned counsel for the petitioner has submitted that the husband of the petitioner was working with respondent-bank and had died on 31.03.2014. Petitioner had approached the respondent-bank that her son be given appointment on compassionate basis. However, the request submitted by the petitioner has been declined by the respondents.

In the present case, husband of the petitioner was working with the respondent-bank as Senior Head Messenger. Unfortunately, husband of the petitioner had died on 31.03.2014 leaving behind his widow, two sons namely Bahadur Singh and Kulbir Singh and daughter

Mandeep Kaur. Petitioner approached the respondent-bank that appointment be given to her younger son on compassionate basis. Vide reply dated 15.11.2014 (Annexure P-4), respondent-bank declined the request of the petitioner for providing appointment on compassionate basis to her younger son on the ground that there was no provision for appointment on compassionate basis on the prevalent date of death of Gurnek Singh husband of the petitioner. However, petitioner could seek payment of ex-gratia. Thereafter, Kulbir Singh son of the petitioner vide Annexure P-6 sent notice to the respondent-bank that he be given appointment on compassionate basis on account of death of his father. The said request was declined vide reply dated 20.01.2015 (Annexure P-7).

Para 2 of Annexure P-7 reads as under:-

“That the contents of this Para are denied for want of knowledge. However it is not disputed that the mother of your client had sent a representation but the same was dated 10.10.2014 not dated 09.10.2014. The rest of the contents of this Para are incorrect and denied. It is pertinent to mention here that your client does not fall within the eligibility/ambit of the SBI Scheme for appointment on compassionate ground in exceptional cases which was contained in e-Circular dated May 13, 2011 and followed by e-Circular dated December 27, 2014 which speaks that the Scheme will be applicable in the following cases:

**Employees dying while performing his official duty as a result of violation, terrorism, robbery or dacoity.*

**Employee dying within five years of his first appointment or before reaching the age of 30 years whichever is later, leaving a dependent spouse and/or minor children.*

**It is further made clear that the said Scheme is effective from 04.08.2005."*

Thus, the respondent-bank had declined the request of Kulbir Singh son of the petitioner for appointment on compassionate grounds as his case was not covered under the relevant scheme framed by the respondent-bank.

Since the case of the petitioner is not covered under the scheme for appointment on compassionate grounds in exceptional cases in State Bank of India, no ground for interference by this Court while exercising the jurisdiction under Article 226 of the Constitution of India, is made out.

Dismissed.

(SABINA)
JUDGE

January 08, 2016
mahavir