

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.418 of 2016
IN
Civil Writ Jurisdiction Case No. 14389 of 2012**

- =====
1. Canara Bank, Head office, 112, J.C. Road, Bangalore through its Chairman and Managing Director.
 2. Chairman & Managing Director, Canara Bank, Head office, 112, J.C. Road, Bangalore.
 3. The Assistant General Manager, Canara Bank, Employee's Pension Fund, Personnel Wing, Naveen Complex, 14, M.G. Road, Bangalore – 560001.
 4. Manager, Canara Bank, Employee's Pension Fund, Personnel Wing, Naveen Complex, 14, M.G. Road, Bangalore – 560001.
 5. The Deputy General Manager, Canara Bank, Circle Office, 4/5 Luv Kush Tower, Exhibition Road, Patna 800001.

.... Respondents-Appellant/s

Versus

1. Ranjan Vedasen, Son of Late Rajeshwar Prasad Sinha, Resident of 106, Shankar Apartment, East Boring Canal Road, P.S. Budha Colony, District – Patna.
2. The Union of India through Joint Secretary, Ministry of Finance, Banking Division, Parliament Street, New Delhi

... .. Petitioner/ Respondent 1st Set.

.... Respondent-Respondent 2nd Set.

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Appearance :

For the Appellant/s : Mr. Rajan Ghoshrahe, Advocate
For the Respondent/s :

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CORAM: HONOURABLE THE CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 20-03-2017

Having heard learned counsel for the appellants, we are of the considered view that even though certain arguments with regard to principle and legal question have been raised by the appellant-Bank in this Letters Patent Appeal, considering the fact that the employee, petitioner in the original writ petition and the respondent No.1 herein, Sri Ranjan Vedasen, has been granted the benefit of pension after his



retirement, taking note of the fact that instead of completing 20 years’ qualifying service, he has completed 19 years, 9 months and 1 day, the learned Writ Court has given him the benefit of the statutory provision by interpreting and conjointly reading Regulation 29(5) and Regulation 18 of the Canara Bank (Employees’) Pension Regulations, 1995 together, we hold that in this case interference into the matter need not be made. The petitioner in the original writ petition and the respondent No.1 herein, Sri Ranjan Vedasen, be granted the benefit, but the benefit granted to him and the principles laid down in the impugned judgment of the Writ Court in CWJC No.14389 of 2012 shall not be treated as a precedent. It shall not be applicable in any other case and liberty shall be available to the appellant-Bank in question to challenge the principle and the legal question involved in the matter, if required, on a future date in an appropriate case.

With the aforesaid, Letters Patent Appeal stands disposed of.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

Sunil/-

AFR/NAFR	N. A. F. R.
CAV DATE	N. A.
Uploading Date	21.03.2017
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