

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11967 of 2016

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Compassion World, Rama Bhawan Compound, Ramna Road, P.S- Civil Lines,
District- Gaya, through its Secretary, Pankaj Kumar, Son of Ramji Prasad Barnwal,
resident of Rama Bhawan Compound, Ramna Road, P.S- Civil Lines, District-
Gaya.

.... Petitioner/s

Versus

1. The Union of India through the Secretary, Ministry of Finance, New Delhi.
2. The Secretary, Department of Financial Services, Ministry of Finance,
Government of India, New Delhi.
3. The Chairman, State Bank of India, Head Office Mumbai.
4. The Chairman-Cum- Managing Director, Punjab National Bank, Head Office,
New Delhi.
5. The Chairman-Cum- Managing Director, Union Bank of India, Head Office,
Mumbai.
6. The Chairman-Cum- Managing Director, Bank of India, Head Office, Mumbai.
7. The Chairman-Cum- Managing Director, United Bank of India, Head Office,
Kolkata.
8. The Chairman-Cum- Managing Director, Canara Bank, Head Office,
Bangalore.
9. The Chairman-Cum- Managing Director, Bank of Baroda, Head Office, Baroda.

.... Respondent/s

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Appearance :

For the Petitioner : Mr. Prashant Sinha, Advocate
For U.O.I. : Mr. S.D. Sanjay, A.S.G.
Mr. R.K. Sharma, C.G.C.
For Respondent No. 9 : Mr. Vivek Prasad, Advocate
For Respondent No. 5 : Mr. Raj Nandan, Advocate
Mr. Nishi Nath Ojha, Advocate



For Respondent No. 6 : Mr. Sanjay Singh Thakur, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 07-04-2017

In the matter of non-implementation of a guideline issued by the Government of India in the Ministry of Finance and Banking for the purpose of framing a uniform transfer guidelines for women employees working in various Nationalized Banks and seeking a *mandamus* to the Banking authorities to issue guidelines, this writ petition has been filed.

2. Apart from the fact that the policy in question is only a guideline pertaining to transfer of employee to be enforced in the Public Sector Bank, we find no statutory rule, regulation or provision having the force of law which can be implemented by a *mandamus*. It has been held by the Supreme Court in various cases consistently that a guideline or a policy decision cannot be implemented by means of a *mandamus*, that being the legal position, we see no reason to interfere into the matter.

3. That apart the question of grant of Child Care Leave to women employees working in the Bank is an issue which can be canvassed by the employees of the bank.



4. In a Public Interest Litigation we see no reason to go into the aforesaid question. Accordingly, we do not find any case for making indulgence into the matter. The writ petition stands dismissed.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

P.K.P.

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	11.04.2017
Transmission Date	

