

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (S) NO. 255 OF 2017

- Parth Sarthi Sharma, S/o Late Raghuveer Sharma, aged about 55 years, presently working as Manager, Grade-B, NABARD, Fafadih Chowk, Raipur, District Raipur (C.G.)

... Petitioner

Versus

1. National Bank of Agriculture and Rural Development (NABARD), through – CGM, Fafadih Chowk, Raipur, District Raipur (C.G.)
2. National Bank of Agriculture and Rural Development (NABARD), Head Office, Human Resource, Management Department, BKC Bandra, East Mumbai 400 051.

... Respondents

For Petitioner	:	Mr. Sushobhit Singh, Advocate.
For Respondents	:	Mr. Vinod Deshmukh and Mr. R.K. Gupta, Advocates.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

22/03/2017

1. The limited grievance of the Petitioner in the present writ petition is that the Petitioner is working as Manager, Grade-B, under the Respondents since 2004 and for the last 13 years he is being treated as an Officer in the Manager, Grade-B.
2. According to the NABARD (Staff) Rules, 1982 which governs the service conditions of the Petitioner, he is entitled for the Assured Personal Promotion after continuously working for a period of 7 years, which in the instant case has not been provided to him.
3. The only hindrance which, according to the Petitioner, may come on his way is a disciplinary action initiated in between, but it was ultimately quashed and set aside by the High Court of Punjab and Haryana at Chandigarh vide its order dated 23.4.2015 in C.W.P. No. 11202 of 2010 (O&M) and consequent to which the Petitioner has been reinstated in services vide order dated 14.5.2015 and the intervening period has been treated as period spent on

duty and thus, for all practical purposes, the said period has also to be reckoned for grant of Assured Personal Promotion.

4. Since this being the limited prayer of the Petitioner, this Court is not inclined to keep the present petition pending any further and the writ petition is disposed of, with a direction to the General Manager, Human Resources Management Department, Bombay of Respondent No.2-Organization to take a decision in respect of the claim of the Petitioner for grant of Assured Personal Promotion on having completed the stipulated period of service on a particular period.

5. According to the Petitioner, till date his claim has not been rejected by the Respondents and that the persons junior to him have already been granted the said benefits.

6. Accordingly, let the General Manager, NABARD, Human Resources Management Department, Bombay take a decision within a period of 90 days from the date of presentation of certified copy of this order, so far as the entitlement of the Petitioner is concerned. In case, the Petitioner is entitled the relief may be released to him forthwith and, in case, the Petitioner is not entitled, an intimation in this regard be given to him showing the reasons as to under what circumstances he is found to be disentitled for the said benefits.

7. With the aforesaid directions, the present writ petition stands finally disposed of. No order as to costs.

Sd/-
(P. Sam Koshy)
JUDGE