IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 1201 OF 2017

Prakash Shankar Deshpanade ...Petitioner
vs.
Bank of India and Ors. ...Respondents

Mr. P.S. Deshpande, petitioner in person.

Mr. Lancy D'souza with Ms. Deepika Agrawal with Mr. V.N. Parkar for respondent no. 1.

CORAM : SHANTANU KEMKAR &
M.S. SONAK, JJ.
JULY 20, 2017

P.C.:

Not on board. Taken on production board, in view of the urgency.

2. Petitioner claims that he is a retired officer of respondent no. 1 Bank. He has filed this petition seeking the following reliefs :

> *"(a) A writ direction or order in nature of Mandamus be issued to Respondent no. 1, respondent no. 2, respondent no. 3 and respondent no. 4 to hear the representation from petitioner.*
> *(b) It may be declared that Mr. Prakash Shankar Deshpande, at present retired from Bank of India service on 31st May, 2016 is entitled to be heard separately as appellant against 10th bipartite settlement as he had made an appeal while in service well in time, as he is not member of any officer's association presently working in bank industry and since he is not properly represented.*
> *(c) It may be declared that it is duty of the Bank Management/IBA (who provide platform for wage settlement) to hear employee who have been not represented properly."*

3. It is not in dispute that the wage settlement has taken effect in the year 2015. It is also not in dispute that while wage settlement being done, the respondent nos.3, 4 and other various Bank Officer's

Associations were heard and thereafter the wage settlement was arrived at.

4. The grievance of the petitioner is that many points have escaped while the wage settlement was being done.

5. Having heard the petitioner, we are of the considered view that the petitioner a retired employee cannot be allowed to say that as he has not been heard at the time of wage settlement, therefore, the first respondent be directed to hear the petitioner against the bipartite settlement.

6. The prayer as made by the petitioner, if is allowed, the wage settlement cannot be carried out at any time as there may be many individual employees who may be willing to make their representations and may pray for individual hearing in regard to the wage settlement.

7. The Bank Officer's Associations have not come forward to challenge the wage settlement.

8. As a result, we do not find any ground to entertain this petition at the behest of the petitioner.

9. Petition fails and is hereby dismissed.

(M.S. SONAK, J.) **(SHANTANU S. KEMKAR, J.)**