

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.25355 OF 2013

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, came to be filed seeking to declare that the delay in absorbing the petitioner as Subordinate Staff as per Circular No.PAD/IR/D-11 dated 17.02.2012 as illegal and arbitrary and consequently to direct respondents 1 and 2 to consider his representation dated 15.07.2013 for absorption as subordinate staff.

No representation for the petitioner.

The case of the petitioner, as seen from the affidavit filed in support of the writ petition, is that he joined as car driver to the Deputy General Manager w.e.f. 01.01.2006 and is working as such in the respondent bank till date. It is his case that the respondent-bank has issued circular dated 17.02.2012 calling for information from all the Circle Heads, to send the information about the personal drivers of the executives to be absorbed by the Bank. Pursuant to the same, the second respondent forwarded the bio-data of the petitioner recommending absorption vide letter dated 03.04.2012. Since the petitioner could not get any intimation, he made a representation on 15.07.2013, for considering his case for absorption in the bank in subordinate staff cadre. Alleging inaction, the present Writ Petition came to be filed.

A counter came to be filed by the respondents disputing the averments made in the affidavit filed in support of the writ petition. It is further contended that as per the circular dated 17.02.2012, persons who have been working as personal drivers since 01.04.2005 are only eligible for absorption. As the petitioner joined after the cut

off date, he is not entitled for the benefit of absorption prescribed under the circular dated 17.02.2012. As such, the request of the petitioner cannot be considered.

Having regard to the rival submissions made and since the representation dated 15.07.2013 is stated to be pending with the respondents, the Writ Petition is disposed of directing the first respondent to dispose of the representation made by the petitioner on 15.07.2013, if not already disposed of, in accordance with law, at the earliest.

Miscellaneous Petitions pending in this petition, if any, shall stand closed. No order as to costs.

24.04.2017
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JUSTICE C. PRAVEEN KUMAR

