

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 6312 of 2018**

Smt. Gyatri Chelak W/o Shri R.D. Chelak Aged About 57 Years Presently Posted As Officer Scale -I, At Punjab National Bank, Barela District Mungeli, R/o Indu Chowk, Jarhabhata, District Bilaspur Chhattisgarh.

---- Petitioner**Versus**

1. Punjab National Bank Through Its General Manager Personnel Administration Division 7, Bhikhaiji Cama Place, Head Office, New Delhi - 110066
2. Zonal Manager Punjab National Bank, Bhopal
3. Regional Manager Punjab National Bank, Circle Office Gaurav Path, Ring Road No. 2, Plot No. 48-48A, Bilaspur Chhattisgarh.
4. Manager (HRD), Punjab National Bank Circle Office Gaurav Path, Ring Road No. 2, Plot No. 48-48A, Bilaspur Chhattisgarh.
5. S.L. Kujur Officer Scale -I Punjab National Bank, Chapora District Bilaspur Chhattisgarh

----Respondents

For Petitioner	:	Mr. Mateen Siddiqui, Advocate
For Respondents	:	Mr. S.S. Rajput, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****25/09/2018**

1. The present is a second round of litigation. The earlier round of litigation was disposed off by this Court on 14.08.2018 vide WPS No. 5201/2018. While disposing of the writ petition this Court has made following observations:

“With the aforesaid liberty, the present writ petition stands dismissed as withdrawn. Accordingly, the petitioner would be at liberty to file a detail representation to the Circle Head as well as Zonal Manager for ventilating her grievances and on such representation being made, the authority concerned is expected to take a prompt decision on the said representation.”

2. Subsequent to the disposal of the writ petition, the petitioner seems to have made a representation, which stands decided vide Annexure P/1. The relevant portion of the order under challenge is reproduced herein under:

“Your above representation was put up to the Competent Authority for consideration who has given his comments that the request of Smt. Chelak cannot be considered at the moment as once the transfer order is issued, no request for transfer cancellation/change shall be entertained because it create imbalance in the whole Manpower Planning Exercise.

Please be guided accordingly and report at your transferee branch immediately where you have been transferred permanently as Officer and not as Incumbent Incharge.”

3. The said observations made by the officer, while deciding the application is totally uncalled for. The intention of this Court while disposing off the writ petition was that in case if the petitioner has some grievance, the proper person for redressal of the grievance would be the higher authorities in the department.
4. It was expected of the officer to consider the grievance of the petitioner and thereafter to decide the case on merits in accordance with the regulations. The language which has been used by the officer concerned, is totally unacceptable while deciding a representation, more particularly when the representation has been made after an order made by the High Court.
5. The authority concerned should have been more considerate while deciding the claim application. This Court does not want to express more on the said observations made by the authority concerned and at this stage the matter stands disposed off with a further direction to

the competent authority to ensure that the representation of the petitioner is considered on merits and the same is decided by a speaking order.

6. Let this exercise be concluded within a period of 30 days from the date of the receipt of the order of this Court.

Sd/-
(P. Sam Koshy)
Judge

Ved