

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

PUBLIC INTEREST LITIGATION NO. 28/2016.

Court's on its own motion.

-VERSUS-

The Union of India and others.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

**CORAM : B. P. DHARMADHIKARI &
MRS. SWAPNA JOSHI, JJ.**

DATE : JANUARY 17, 2018.

Heard Shri S.N. Bhattad, learned Amicus,
Ms. M. Chandurkar, learned Counsel for respondent
no.1 and 1[a], Shri R.M. Bhangde, learned Counsel for
respondent no.2 and Shri S.M. Ukey, learned
Addl.G.P. for respondent no.3.

2. Perused Office Memorandum dated
14.11.2017, produced by Ms. Chandurkar, learned
counsel for respondent.

3. Learned Amicus, points out that there is no
affidavit in support of said memorandum. However,
the memorandum is coming on record through proper

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custody i.e. Ministry of Personal, Public Grievances and Pension, Department of Pension and Pensioners' Welfare. The office memorandum dated 14.11.2017 is accompanied by earlier office memorandums dated 13.01.2015 and 30.06.2011. These Office Memorandums are taken on record of this proceedings and are marked as "**Exhs. A,B and C**" respectively for the purpose of identification.

4. Decision dated 14.11.2017 by respondent nos. 1 and 1[a], shows that verification of thumb impression or retina scan is not necessary while giving / verifying Life Certificate of a pensioner.

5. Learned Addl. G.P. upon instructions submits that such a Biometric scan is not made compulsory by the State Government for its pensioners. We take on record statement of learned Addl. G.P.

6. The grievance of rude behaviour by the Bank Officials also forms subject matter of this Public Interest Litigation. Rude behaviour with pensioners or with any customer of a Bank cannot be looked into here. It will be a misconduct which can be taken care of by a concerned employer as per its discipline and

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appeal procedure.

7. However, looking to the old age and other problems which may arise on account of old age or lack of support, the pensioner may be in a different state of mind. Therefore, a more lenient treatment to them may be necessary. We therefore, direct respondents to keep in mind this aspect and to issue appropriate circular or directions to all its Banks so that such grievance of pensioners specifically does not arise again.

8. With these directions/observations and recording appreciation of good services rendered by learned Amicus, we dispose of the present Public Interest Litigation. No costs.

JUDGE

JUDGE

Rgd.