

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP No. 7518 of 2018

Date of Decision: 27.03.2018

Vinod Kumar and others

...Petitioners

Vs.

The State Bank of India and others

...Respondents

CORAM:- HON'BLE MR.JUSTICE RAJIV NARAIN RAINA

Present: Mr. Dilbagh Singh, Advocate for the petitioners.

RAJIV NARAIN RAINA, J. (Oral)

1. The petitioning Individual Business Correspondents (BCs) engaged by the erstwhile State Bank of Patiala, a Bank presently merged with the State Bank of India are outside the pale of Bank employees. Their relationship with the Bank is governed by contract agreement with fixed terms. They are not employees. The contracts can be terminated as per the terms and conditions of the signed agreement. The relationship between the Bank and the BCs is one of the contract for service and not contract of service. Any breach would only sound in damages in the Civil Court. The writ jurisdiction is inappropriate for this Court to extend the period of contract beyond the stipulated periods of expiry. Even pre-mature breach of contract will only sound in damages and will not make an actionable claim in the writ Court.

2. No interference is called for in the termination notice for non-renewal of contract of agreement dated 04.01.2018 where 7 BCs in

Chandigarh would have their contractual service brought to an end in June/July 2018, as the case may be.

3. The petition is dismissed.

(RAJIV NARAIN RAINA)
JUDGE

27.03.2018
kv

Whether speaking/reasoned : *Yes*
Whether reportable : *No*