

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

Date of Order: March 06, 2018

+ **W.P.(C) 2076/2018 & CMs 8603-04/2018**

PUSHPENDER KUMAR & ANRPetitioners
Through: Mr. Rajeshwar Dagar and Mr.
Madhuvendra Jha, Advocates

Versus

INDIAN BANK & ANRRespondents
Through: Mr. Jagat Arora and Mr. Rajat
Arora, Advocates for respondent No.1
Mr. Nawal Kishore Jha, Advocate for
respondent No.2

CORAM:
HON'BLE MR. JUSTICE SUNIL GAUR

ORDER
(ORAL)

1. First petitioner's application seeking appointment on compassionate grounds stands rejected vide impugned order of 7th September, 2017 (*Annexure-E*). Similar application of first petitioner also stands rejected vide impugned order of 21st October, 2017 (*Annexure-H*). The rejection of first petitioner's application for appointment on the post of Clerk on compassionate grounds is by Chief Manager (HRM) whereas as per the Scheme of Compassionate Appointment in Public Sector Banks (*Annexure-A*), the competent authority to make appointment on compassionate grounds is the Chairman and Managing Director of the Bank and not the Chief Manager.

2. In view of the above, it is deemed appropriate to dispose of this petition with permission to first petitioner to make a fresh application for appointment on the post of Clerk on compassionate grounds to the Chairman and Managing Director of respondent-Bank within a week and if such an application is received, then the Chairman and Managing Director of respondent-Bank shall duly consider the said application in light of the afore-referred Scheme (*Annexure-A*) while being uninfluenced by the impugned order of 7th September, 2017 (*Annexure-E*) and 21st October, 2017 (*Annexure-H*) and in case appointment on compassionate grounds is denied to first petitioner, then the reasons for doing so be spelt out and first petitioner be intimated about it within a period of eight weeks, so that first petitioner may avail of remedies as available in law, if need be. In terms of Clause 12 of the afore-referred Scheme (*Annexure-A*), opportunity of personal hearing be also provided to first petitioner.

3. With aforesaid directions, this petition and the applications are disposed of.

Dasti.

(SUNIL GAUR)
JUDGE

MARCH 06, 2018

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