

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.956 of 2018

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Varad Keshri, son of Sri Jaishanker Prasad Keshri, resident of Mohallah-
Gandhi Neem Sasaram, Rohtas, District- Rohtas.

... .. Petitioner

Versus

1. State Bank Of India, Central Office, Corporate Centre, Atlanta Building, Nariman Point, Mumbai-400021, through its Chairman.
2. Chairman, State Bank of India, Central Office, Corporate Centre, Atlanta Building, Nariman Point, Mumbai-400021.
3. General Manager, State Bank of India, Central Recruitment and Promotion Department, Corporate Centre, Mumbai-400021.
4. Assistant General Manager, State Bank of India, Central Office, Central Recruitment and Promotion Department, Corporate Centre, Mumbai-400021.
5. General Manager, State Bank of India, North Eastern Circle, Local Head Office, Guwahati 781006.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rajendra Narain, Senior Advocate Mr. Anju Kumari @ Anju Narain, Advocate Mr. Anant Kumar Sinha, Advocate
For the Respondent/s	:	Mr. Anjani Kumar Mishra, Advocate Mr. Ambarish Bhardwaj, Advocate

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL JUDGMENT
Date : 24-07-2019

Heard learned counsel for the petitioner and
learned counsel for the State Bank of India.

In this case, the petitioner is complaining that he is
belonging to Backward Class and though two vacancies for the
Backward Class in the Meghalaya region are lying vacant, but
the respondents are not filling up the same.

It appears that the State Bank of India has issued an



advertisement for recruitment of Junior Associates (Customer Support and Sales) and Junior Agriculture Associates. Whereupon, the petitioner has applied for the said post, but he could not be appointed. Grievance has been raised that still two posts are available in the Meghalaya region, so he should be accommodated there.

In course of argument, learned counsel for the petitioner has not stated that any person below him has been appointed. Only the thrust has been given that earlier the respondents were keeping waiting list, but this time, no waiting list has been prepared, had they kept the waiting list, the petitioner would have been appointed.

The State Bank of India in its counter affidavit has stated that the Commission has recommended 9 persons for the OBC category in the Meghalaya region, but out of that only 7 persons have joined.

A person whose name is in the panel, does not create an indefeasible right for appointment. Only a person can claim right for his appointment in the event any person below him has been appointed. Reliance can be placed to the decision of the Hon'ble Supreme Court in the case of ***Shankarsan Dash vs Union Of India*** reported in ***1991 AIR 1612***.



Furthermore, the petitioner has tried to make out a case of institutional mala fide, but there is no foundational fact in support of this submission. Every Institution has right to take a decision with regard to preparation of waiting list. In the present case, the Institution has not prepared the wait list, cannot be criticized.

In such view of the matter, this Court does not find any merit in this writ petition, accordingly, the same is dismissed.

(Shivaji Pandey, J)

pawan/-

AFR/NAFR	N.A.F.R.
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