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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO.9417 OF 2016**

Mr. Pawan Kumar Ghosh (Since deceased) ... Petitioners  
Through the Legal Heirs Smt. Anjali Rani  
Ghosh & Ors.

V/s.

The Chairman State Bank of India & Ors. ... Respondents

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Ms. Rupam Ghosh for the Petitioner.  
Mr. Vivek S. Sawant, for the Respondent Nos. 1, 2 and 4.  
Mr. S.L. Babar, AGP for State - Respondent No.5.

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**CORAM: A.A.SAYED &  
R. I. CHAGLA, JJ.**  
**DATE: 23RD APRIL, 2019.**

**PC:-**

1. The Petition essentially impugns the letter dated 22 December 2013 as well as the letters dated 5 September 2015 and 27 February 2015.

2 So far as the issue of removal of the original Petitioner from the panel of the Valuers of the Respondent State Bank of India is concerned, the empanelment letter clearly states that the Respondent Bank reserves its right to remove the Valuer-original Petitioner from the panel of Valuers without assigning any reason at any time. The original Petitioner, in our view, cannot have

claimed any vested right to be on the panel of Valuers of the Respondent Bank. Moreover, it is seen that decision of removal of the original Petitioner from the panel was taken on 21 November 2013 whereas the present Petition was filed by the original Petitioner only on 10 May 2016. The original Petitioner died during the pendency of the Petition sometime in September 2017 and the period of empanelment had also expired in May 2018. In the circumstances, no interference is warranted in the action of the Respondent Bank of removal of the original Petitioner from the panel of the Valuers of Respondent Bank.

3. So far as the issue of black-listing the original Petitioner is concerned, this Court on 5th September, 2018 has passed the following order:

***“Prima facie, we find paragraph 2 of the communication dated 20/12/2013 is punitive in nature. We also find that the same is not preceded by principles of natural justice.***

***2. In this view of the matter, though we can very well decide the Petition today, at the request of Mr. Gupta - learned Counsel appearing on behalf of Respondent - Bank, we grant one opportunity to the respondent - Bank to reconsider the issue.***

4. Despite the order dated 5th September, 2018, the case of the original Petitioner had not been re-considered by the

Respondent Bank. It is an admitted position that the original Petitioner has not been granted a personal hearing before blacklisting him and displaying his name in the centralised list of blacklisted Valuers. In the circumstances, inasmuch as the Petitioner is now no more and the Respondent - Bank despite the order of this Court has failed to re-consider the case of the Petitioner and since it is an admitted position that the original Petitioner was not granted personal hearing, we direct the Respondents to de-list the name of the Petitioner from the centralised list of blacklisted Valuers within a period of four weeks from the date of uploading of this order.

5. The Petition is disposed of in the aforesaid terms.

**( R. I. CHAGLA, J. )**

**(A.A.SAYED, J.)**