IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP NO. 6832 of 2019(O&M)
DATE OF DECISION : 28.03.2019

Gaurav & Ors.

... Petitioners

versus

Vijaya Bank & Ors.

... Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Pawan Kumar Mutneja, Advocate,
for the petitioners.

Mr. K.P.S. Dhillon, Advocate
for the respondents-caveator.

ARUN MONGA, J. (ORAL)

1. The present petition has been filed, inter alia, impugning letters/ policies dated 11.01.2019 and 23.01.2019, Annexures P-18 & P-19 respectively, especially the clause wherein it has been laid down that only those temporary employees would be considered for regularization who have given interview in 2013-2014, with a further prayer to grant the benefit of regularization to the petitioners.

2. Learned counsel for the caveators-respondents, at the outset, submits that the writ petition has been filed prematurely as prior to filing of the writ petition, the petitioners, at no stage, have given any representation to the respondents to seek the benefit of regularization, as has been prayed in the writ petition.

3. Per contra, learned counsel for the petitioners submits that the

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petitioners have not only been representing in the past but, they also caused a legal notice dated 30.01.2019 (Annexure P-20) through their counsel. However, neither representations yielded any response nor the legal notice has been adverted to by the respondents.

4. In the circumstances, I do not deem it necessary to keep the case pending as no further pleadings or proceedings are required in the matter.

5. A direction is hereby issued to respondents No.1 to 3 to decide the legal notice (Annexure P-20) issued by the petitioners by passing a speaking order within a period of two months from today. While doing so, the respondents shall also take into consideration the averments made in the instant writ petition, by treating the same as a supplementary representation.

6. At this stage, it has been pointed by learned counsels for the parties that respondent Vijaya Bank is likely to merge with Bank of Baroda. It is made clear that any proposed merger shall not be to the detriment of the petitioners qua their claim for regularization and the speaking order shall be passed on the basis of appropriate policies/ regulations applicable at the relevant time.

7. Disposed of.

(ARUN MONGA)
JUDGE

March 28, 2019
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1. Whether speaking/ reasoned: Yes/ No
2. Whether reportable: Yes/ No

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