

18.09.2020

Ct. No. 13

Item No.4

pk.

WPA No. 6217 (W) of 2020
+
IA CAN 1 of 2020 (CAN 4577 of 2020)

Debasis Kundu & Anr.
-vs-
State Bank of India & Ors.

Mr. Nilanjan Adhikari for the petitioners

Mr. Swarup Banerjee,
Mr. Hari Charan Yadav for the SBI

The petitioners were empanelled valuers of the State Bank of India. According to the petitioners, on expiry of their terms they applied for re-empanelment. The applications for re-empanelment were received by the Bank on 2nd September 2019. The Bank has thereafter published a list of valuers but the names of the petitioners were not included in the said list. The petitioners are aggrieved by the same.

They made representations before the Bank on 18th June 2020. The petitioners pray for consideration of their representations for empanelment as valuers of the Bank.

The learned counsel representing the State Bank of India submits that the term of the petitioners expired long back. A fresh panel of valuers has already been published by the Bank. The petitioners do not have any vested right to be considered for re-empanelment. Empanelment of valuers is made by the Bank upon

consideration of the profile of the candidates. According to the Bank, the petitioners were not fit for re-empanelment. The Bank has exercised their discretion and not empanelled the names of the petitioners as their valuers.

I have heard the submissions made on behalf of both the parties. Though it appears that the names of the petitioners were earlier enlisted, no right accrued in favour of the petitioners for being empanelled each and every time the Bank prepares a list of valuers. The Bank exercised their discretion and has not renewed the empanelment of the petitioners. A writ of mandamus cannot be issued until and unless there is infringement of a statutory right of a litigant. It does not appear that there has been infringement of either any fundamental or statutory right of the petitioners.

In view of the above, no relief can be granted to the petitioners in the instant case. The writ petition along with the connected applications stand dismissed.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)