

06.12.2021.
Item No. 7.
Court No.13
pk

**W.P.A. No. 19061 of 2021
(Through Video Conference)**

**Salam Seikh
Versus
The Punjab National Bank & Ors.**

Mr. Subhrangsu Panda,
Ms. Rima Das,
Ms. Oindrila Ghosh

..For the petitioner.

Mrs. Moushumi Paul,
Mr. Samrat Mukherjee

... for the respondents.

The writ petitioner was working as Badli Sweeper in United Bank of India, Swaruppur Branch, Berhampur, Murshidabad. The said bank was later merged with the Punjab National Bank. Since the Punjab National Bank did not have any post of Badli Sweeper, his services was discontinued.

The petitioner approached this Court by way of WPA 11642 of 2021. By an order dated 11.08.2021, the writ petition was disposed of directing the bank to consider the petitioner's representation for engagement of Badli Sweepers. In reply thereto vide communication 10.11.2021, the bank informed him that there was no provision for engagement of Badli Sweepers in the bank. It was, however, mentioned that the petitioner would be entitled to apply for the post of part time sweeper, as and when advertised by the bank. The bank has since advertised the recruitment process to

the post of part time sweeper published on 19.11.2021.

It is submitted that the petitioner being under the OBC category was otherwise entitled to three years of age relaxation. However, the petitioner being 31 years of age falls short of three more years since the maximum age for application is 24 years.

This Court notes that the only consideration which puts the petitioner on a special footing is that he has been working in the bank since 2014.

This Court, therefore, as an exceptional case and without precedent, permits the petitioner to participate in the aforesaid recruitment process to the post of part time sweeper relaxing his age by a further period of three years.

It is made absolutely clear that relaxation is only on account of age. The petitioner would have to compete with all other candidates on merits. The respondents may accept a hard copy of the petitioner's application in course of the day since today is the last day for receipt of application.

With the aforesaid observations, the writ petition is disposed of.

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)

