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HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 778 of 2021**

Buddhpal Meshram S/o Ram Prasad, Aged About 56 Years R/o House No. 47, Ridhhi Siddi Vihar, Housing Colony, Basantpur, Gondargaon Road, Rajnandgaon (Chhattisgarh)

---- Petitioner**Versus**

1. Union Of India Through The Secretary, Ministry Of Finance Department, Sansad Marg, New Delhi., District : New Delhi, Delhi
2. Bank Of Maharashtra, Through Manager Central Office Lokmangal, Head Office, 1501, Shivaji Nagar, Pune, District Pune (Maharashtra)
3. Branch Manager, Bank Of Maharashtra, Branch Salekasa, Bazar Chowk, Tahsil Katol, District Gondiya (Maharashtra)
4. Branch Manager, Raipur, Bank Of Maharashtra, Devendra Nagar, Raipur (Chhattisgarh)

---- Respondents

For Petitioner	:	Mr. P. Chetan Kumar, Advocate
For Res.No.1	:	Mr. Ramakant Mishra, A.S.G. with Mr. Suyash Dhar, Advocates.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****23/02/2021**

1. The grievance of the petitioner seems to be the non granting of joining to the petitioner on the place of posting where he was working prior to the imposition of lock down in the country.
2. According to the petitioner he was working on the post of Branch Manager, under the respondent no.2 & 3 and was posted at Branch Salekasa, Tahsil Katol, District Gondia, Maharashtra. According to the petitioner since on an earlier occasion he was posted at

Khairagarh and he has his residence in the District Rajnandgaon which he retained even on being transferred to Salekasha Branch District Gondia and was commuting to the Branch daily from Rajnandgaon.

3. However because of the nation wide lock down which was imposed in March, 2020 on account of Covid-19 Pandemic, he could not move from Rajnandgaon to Salekasa for a considerable period of time, firstly on account of borders being closed by the respective State, secondly on account of non availability of means of transport and thirdly on account of ill health of the petitioner. That he subsequently reported for duty in October, 2020 when the respondent authorities refused to grant him joining and till date he has been repeatedly approaching the authorities for grant of joining and release of salary to the petitioner.
4. Considering the fact that, according to the petitioner himself, he has been issued with a show cause notice by the respondents Bank Authorities to provide for sufficient cogent explanations supported with all relevant documents and medical certificates in respect of his absence from the Branch. In view of the same it would not be appropriate at this juncture for this Court under Article 226 to enter into the arena which is otherwise exclusively within the domain of the employer. The petitioner is directed to ensure providing all necessary documents and certificates which the respondent no.2 & 3 have sought for and on providing all those documents the respondent no.2 & 3 are expected to take an appropriate decision in accordance with rules. While taking a decision the Respondents shall keeping in mind the fact that there were certain practical difficulties which the

petitioner have faced on account of COVID-19 Pandemic which was in fact faced by a large section of the society during the said period.

5. Without expressing any opinion on the merits of the case and expecting respondent no.2 & 3 to take an expeditious decision on the representation and documents that the petitioner shall submit, the writ petition at this juncture stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Rohit