

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH : NAGPUR.

WRIT PETITION NO.4498/2018
(Vijay Ramrao Satote and ors Vs. State Bank of India, through its
Chairman, Mumbai & ors.)
AND
WRIT PETITION NO. 4501/2018
(Nilkanth Vitthal Patil and ors. Vs. State Bank of India, through its
Chairman, Mumbai & ors.)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri Zeeshan Z.Haq, Advocate for petitioners in both the petitions.
Shri A.T.Purohit, Advocate for respondent nos. 1, 3 to 33 in
W.PNo.4498/18 and for respondent nos.1, 3 to 7 in W.PNo.4501/18

CORAM :- A.S.CHANDURKAR AND N.B.SURYAWANSHI, JJ.
DATED :- JANUARY 07, 2021.

The challenge raised in these writ petitions is to the action initiated by the respondents for seeking to terminate the services of the petitioners on the post of Business Correspondent with a view to appoint a fresh set of employees. Each petitioner was appointed initially on the post of Business Correspondent for a specified period. Since the respondents sought to end this contractual engagement, the petitioners approached this Court. While issuing notice this Court had directed the parties to maintain status-quo.

The principal challenge raised by the petitioners to the impugned action is based on the judgment of the learned Single Judge of the Rajasthan High Court in Civil Writ Petition No. 4308/18 along with other writ petitions (Ashish Kumar s/o Megha Ram Singh and others Vs. State Bank of India, Navi Mumbai and others) decided on 31.05.2018. By that order, the

respondents were directed to continue the petitioners therein as Business Correspondents and not to terminate their services so as to replace them with another set of contractual employees. This order came to be challenged before the Division Bench of that High Court and by the judgment dated 28.11.2018 the Division Bench allowed the said appeal and dismissed the original writ petition. This order of the Division Bench in turn was challenged by the original petitioners therein before the Hon'ble Supreme Court. The Hon'ble Supreme Court on 08.01.2020 has dismissed the Special Leave Petition bearing No.3995/.2019.

In view of this adjudication the petitioners cannot succeed in the prayers made in these writ petitions. By adopting the reasons assigned by the Division Bench of Rajasthan High Court which have been upheld by the Hon'ble Supreme Court, the writ petitions are dismissed. No costs.

Needless to state that if the petitioners are aggrieved by the consequences suffered on account of termination of their engagement as Business Correspondents, they are free to take such steps as are permissible in law.

JUDGE

JUDGE

Andurkar.