

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12933 of 2021

Kameshwar Singh Son of Shri Ram Janam Singh Resident of Mohallah-Magadh Colony, Road No. 1, House No. 777, P.O.- Gaya, P.S.- Magadh Medical College Gaya, District- Gaya, Pin Code- 823001 (Bihar).

... .. Petitioner/s

Versus

1. Canara Bank Through its Managing Director and Chief Executive Officer, having its Head Office at 112, J.C. Road, Bangalore- 560002 (Karnataka).
2. Managing Director and Chief Executive Officer, Canara Bank, having its Head Office at 112, J.C. Road, Bangalore- 560002 (Karnataka).
3. The Executive Director (HRD) Perssonel Wing/H.R. Wing, Canara Bank, having its Head Office at 112, J.C. Road, Bangalore- 560002 (Karnataka).
4. The General Manager (HRD) Perssonel Wing/H.R. Wing, Perssonel Management Section, having its Head Office at 113/1, Jeevan Prakash Building, J.C. Road, Bangalore- 560002 (Karnataka).
5. The Deputy General Manager Canara Bank, Circle Office, Lav Kush Tower, 3rd Floor, Post Box No. 195, Exhibition Road, Patna- 800001 (Bihar).

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh, Advocate.

For the Respondent Bank : Mr. Siddharth Harsh, Advocate.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 22-11-2022

Heard Mr. Jai Prakash Singh, learned counsel for the petitioner and Mr. Siddharth Harsh, learned counsel for the respondent Canara Bank.

The writ application has been filed seeking a direction upon the respondent bank to pay the amount of full gratuity as per Rules/Regulation of the Canara Bank, especially in terms of



Regulation 46 of the Canara Bank (Officer's) Service Regulation, 1979, for which the petitioner is entitled.

The only grievance of the petitioner is confined to the payment of gratuity which in his humble submission, the same has not been calculated in terms of Regulation 46 of the Canara Bank (Officer's) Service Regulation, 1979.

It is submitted that for ventilating his grievance, he filed his representation before the Deputy General Manager, Canara Bank, Pension and Gratuity Section Head Office, Bangalore, way back on 18.06.2021 but till date the same has not been disposed of.

On the other hand Mr. Harsh, learned counsel for the Bank submits that the competent authority to look into the matter with regard to the calculation of the GPF is Assistant Labour Commissioner (Central).

Be that as it may, though a representation is pending before the respondent no.5 for ventilating the grievance of the petitioner since 18.06.2021, who is the competent authority under the Canara Bank (Officer's) Service Regulation, 1979, but to no avail. Hence, for effective disposal of the claim of the petitioner, let the petitioner be directed to file a fresh representation before the respondent no.5 within a period of four weeks from today, who



shall consider the same and pass a reasoned and speaking order preferably within a further period of six weeks, thereafter.

It is needless to say that if the claim of the petitioner finds favour necessary order for payment along with admissible interest must be passed within the aforesaid stipulated period itself.

Accordingly, the present writ application stands disposed of with aforesaid liberty and direction.

(Harish Kumar, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	25.11.2022
Transmission Date	NA

