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WPA 16525 of 2022

Jiban Kumar Roy
-Vs-
The State Bank of India & Ors.

Mr. Koustav Bagchi,
Mr. Debayan Ghosh,
Ms. Priti Kar
... for the petitioner
Mr. Subrata Kumar Sinha,
...for the State Bank of India

The petitioner's claim is to fitment on promotion allowance from 1981-98. The petitioner retired from the Bank in 2006. The petitioner was admittedly paid this allowance from 1998 to 2006. The Bank's letter of 24th January, 2020 is an admission to this effect since the letter states that the concerned Branch shall settle the issue immediately.

The petitioner has been running from pillar to post after that and has sent several representations to the Bank, last being of 4th May, 2022 where the petitioner also gave a calculation of the amount due to the petitioner from 1981-98. The amount mentioned is Rs. 4,38,520.58/-.

The defence of the Bank, as expressed through learned counsel, is that the Bank has not been able to locate the relevant papers for making payment of the fitment on promotion allowance to the petitioner. Counsel also submits that the petitioner was posted in different places and the Bank has misplaced all the papers, which could determine the amount payable to the petitioner.

After considering the materials on record, this Court is of the view that the Bank's defence is not a defence at all. The Bank, at the very least, should have taken by itself to determine the quantum payable to the petitioner from 1981-98. The defence on merits cannot be accepted after the Bank's admission by way of letter dated 24th January, 2020.

This Court is accordingly of the view that the Bank should be directed to pay the admissible amount to the petitioner within a period of six weeks from date on which the petitioner meets with the authorized officer of the Bank at the concerned Branch and gives the necessary particulars of his claim.

WPA 16525 of 2022 is disposed of with liberty given to the parties to meet tomorrow, i.e. 27th July, 2022 at 10 a.m. at the Head Office of the State Bank of India. The sanctioning authority of the Bank shall take expeditious steps for disbursing the amount payable along with interest @ 6% p.a. from the date in 1981 when the amount became due to the petitioner till the date of payment and within the outer limit as directed above.

(**Moushumi Bhattacharya, J.)**