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W.P.No.9456 of 2008

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.10.2022

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.9456 of 2008

S.Rengaraj

...Petitioner

Vs

1.Punjab National Bank,
Rep. by its Chairman &
Managing Director,
Head Office, 7, Bhikhaji Cama Place,
New Delhi - 110 066.

2.The Senior Manager,
Punjab National Bank,
Human Resources Development Section,
Regional Office, Rayala Towers,
718/785, Anna Salai,
Chennai - 600 002.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Declaration, to declare that the orders of the second respondent denying pro-rata pension to the petitioner vide order No.RO:HRDS:PENS:2001:1228 dated 24.10.2001 insofar as it "fixing 15 years of service" is contrary to the respondent Bank's Personnel Division Circular No.1765 dated 19th December, 2000 and contrary to Regulation No.14



W.P.No.9456 of 2008

and 35(6) of Pension Regulation 1995 as illegal and consequently direct the respondents 1 and 2 to grant pro-rata pension to the petitioner including commutation in terms of Regulation 35(6) of the Punjab National Bank (Employees) Pension Regulation together with interest at 12% p.a. from 17th December, 2000 read with the Bank's Personnel Division Circular No.1765 dated 19th December, 2000.

For Petitioner : Mr.Viduthalai, Sr. Counsel
for M/s.R.Revathy

For Respondents : Mr.P.Raghunathan
for M/s.T.S.Gopalan & Co.

ORDER

Heard Mr.Viduthalai, learned Senior Counsel appearing on behalf of the petitioner and Mr.P.Raghunathan, learned counsel for the respondents-Bank.

2. It is now brought to the notice of this Court that the very same petitioner had earlier filed a Writ Petition in W.P.No.13206 of 2002, challenging the order dated 24.10.2001, which came to be rejected by an Hon'ble Division Bench of this Court, through its order dated 27.11.2006.

3. Hence, the present prayer challenging the same order dated



W.P.No.9456 of 2008

24.10.2001, cannot be challenged before this Court, in view of the bar under the principles of constructive res judicata. Accordingly, the Writ Petition stands dismissed. No costs.

27.10.2022

Index:Yes/No
Speaking order/Non-speaking order
hvk

To

- 1.The Chairman & Managing Director,
Punjab National Bank,
Head Office, 7, Bhikhaji Cama Place,
New Delhi - 110 066.
- 2.The Senior Manager,
Punjab National Bank,
Human Resources Development Section,
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M.S.RAMESH,J.

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