

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CWP No.4230 of 2015
Date of Decision :06.09.2022**

Neetu

.....Petitioner

Versus

Managing Director, Institute of Banking Personal Selection and others

..... Respondents

**CORAM: HON'BLE MR.JUSTICE RAVI SHANKER JHA, CHIEF JUSTICE
HON'BLE MR.JUSTICE ARUN PALLI, JUDGE**

Present : Ms. Aarti Sharma, Advocate for
Mr. Shalender Mohan, Advocate for the petitioner.

Mr. Ayush Gupta, Advocate for the respondents.

RAVI SHANKER JHA, CHIEF JUSTICE (Oral):

The issue, referred to this Court is whether Institute of Banking Personnel Selection (IBPS), is amenable to writ jurisdiction, being a private society, registered under the Societies Registration Act, 1860.

The said issue is no longer *res integra*, as the Supreme Court in the case of **Rajbir Surajbhan Singh Vs. Chairman, Institute of Banking Personnel Selection, Mumbai 2019(14) SCC 189**, has already held that the Institute of Banking Personnel Selection, Mumbai, is not amenable to the writ jurisdiction of the Court as it is involved in the activity of conducting the selection process for appointment to the banks which is voluntary in nature and it cannot be said that any public function is being discharged by the said body. Thus, there is no positive obligation either statutory or otherwise to conduct the recruitment tests. The Supreme Court on the basis

of the aforesaid conclusion has stated that the respondents are not amenable to the writ jurisdiction under Article 32 or 226 of the Constitution of India.

In the circumstances, we are in respectful agreement of the decisions of this Court, rendered in **LPA No.859 of 2018 (Institute of Banking Personnel Selection Vs. Teena Mehta and another)**, **CWP No.14659 of 2014 (Satvinder Singh Vs. Institute of Banking Personnel Selection (IBPS))** and **CWP No.16912 of 2014 (Anupam Vs. Institute of Banking Personnel Selection (IBPS) & another)**.

In the wake of the above and in view of the law laid down by the Supreme Court in the case of **Rajbir Surajbhan Singh (supra)**, the reference is answered accordingly.

In the normal parlance, having answered the reference, we would have sent the matter back to the learned Single Judge for decision on merits, but as indicated above, the petition itself being not maintainable, the same is accordingly dismissed.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

06.09.2022

Manoj Bhutani

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No