

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1149 of 2023

Mukesh Kumar Jha @ Mukesh Kumar Son of Umakant Jha, resident of village - Shri Shirinia, P.O. and P.S. - Gogri, District - Khagaria.

... .. Petitioner

Versus

1. The Punjab National Bank through its Chief General Manager, 7, Bhikhaiji Cama Place, New Delhi - 110607.
2. The Divisional Manager, Punjab National Bank, Divisional Office, Naulakha Apartment, S.N. Singh Road, in front of DIG office, Khanjarpur, District - Bhagalpur.
3. The Assistant Zonal Manager, Punjab National Bank, Zonal Office, R Block, Second Floor Chanakya Towers, R. Block, Patna.
4. The Chief Manager, Human Resources Development Department, Divisional Office, Punjab National Bank, Bhagalpur.
5. The Branch Manager, Punjab National Bank, Gogri Jamalpur Branch, District - Khagaria.

... .. Respondents

Appearance :

For the Petitioner : Mr.Roshan Kumar Mishra, Advocate
For the Resp.No.1 to 5 : Mr.Suryakant Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 12-05-2023 Heard learned counsel for the petitioner and learned counsel for the Punjab National Bank.

Petitioner, in the present case, is seeking a writ in the nature of a writ of mandamus commanding the respondents to appoint the petitioner on the post of Safai Karmi.

It is the case of the petitioner that even before opening of the Gogri Jamalpur Branch of the Bank the petitioner was rendering his service in the Bank as Safai Karmi as per direction given by the concerned Branch Manager. It is further case that pursuant to the advertisement issued for appointment on the post



of part time/full time Safai Karmi vide Annexure '3' to the writ application, he applied for the same, participated in the selection process, but ultimately could not be selected.

The case of the petitioner is that one Rahul Singh has been appointed who had not worked for a single day in the Branch.

Learned counsel for the petitioner has given much emphasis on the submission that the petitioner having been made to work at the instance of the Branch Manager should have been considered by giving some preference/weightage.

Learned counsel for the Bank has opposed this writ application. It is submitted that vide advertisement published in the newspaper, on or about 01.09.2022, applications were invited from the eligible candidates. The petitioner had also participated in the selection process. It is submitted that he has no instruction as to whether any work was being taken from the petitioner prior to the advertisement or not, but so far as the advertisement is concerned, it does not provide for any weightage/preference to a person who might have been engaged for the work of cleaning in the premises.

It is submitted that in absence of there being any provision/stipulation in the advertisement, no preference could



have been given to the petitioner.

Having heard learned counsel for the petitioner and the Bank, this Court finds substance in the submission of learned counsel for the Bank. The advertisement (Annexure ‘3’ to the writ application) does not provide for any preference. In such circumstance, the grievance of the petitioner is completely unfounded.

This Writ Application has no merit. It is dismissed.

(Rajeev Ranjan Prasad, J)

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