

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.872 of 2019

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Rajeev Kumar, Son of Late Yogendra Yadav, resident of Village- Ward No. 14, Gayatri Nagar, East of B.N. Mandal Stadium, District- Madhepura.

... .. Petitioner/s

Versus

1. The Chairman and Managing Director, Punjab National Bank, Bhikhaiji Cama Place, New Delhi- 110066.
2. Human Resource Development (HRD) Head, Punjab National Bank, G.M. Road, Darbhanga.
3. The Chief Manager, HRD Department, G.M. Road, Darbhanga 846004.
4. The Branch Manager, Singheshwar Branch, Punjab National Bank, Madhepura.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bidhanesh Misra, Advocate
For the Respondent/s : Dr. Pankaj, Advocate

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 19-06-2023 The petitioner has performed the duties of a Sweeper on part-time basis since 2011, as per his assertion.

The respondent-Bank in the year 2016 conducted a process for selecting part-time Sweepers wherein also the petitioner participated. He was unsuccessful in the process and since then he has not been working in the respondent-Bank.

The petitioner was aggrieved by selection of another person pursuant to the process of selection initiated vide advertisement (Annexure-3). He thus approached this Court by filing CWJC No. 17761 of 2017. The writ petition was disposed in the following terms:



"Accordingly, it is directed that the petitioner may file a representation regarding his grievances within two weeks and in case such representation is filed before the respondent no. 3, then the same may be considered and disposed of within a period of four weeks from the date of filing of the said representation by a speaking and reasoned order."

The reasoned order has now been passed, which has been assailed by the petitioner in the instant proceedings.

Learned counsel for the petitioner realizing the difficulty of not having an enforceable claim, however, submits that the services rendered by him were required to be acknowledged by the authorities in the Bank.

Learned counsel for the Bank, on the other hand, submits that the process of selection under the 2016 advertisement did not provide for any weightage to persons who had worked on part-time basis in the Bank prior to issuance of the advertisement. The petitioner has no enforceable preferential claim.

Considering the rival submissions, this Court would find that the speaking order dated 15.06.2018, rejecting the petitioner's claim, suffers from no infirmity. It is also not in



dispute that the petitioner had participated in the selection process initiated under Annexure-3 in which there was no provision for giving any weightage or preference.

That being so, it does not lie in the mouth of the petitioner today to contend that he was entitled to any preferential weightage or preference, that also when he has emerged unsuccessful in the process of selection in which he has participated without any demur.

No enforceable claim is made out. Writ petition is dismissed.

(Madhuresh Prasad, J)

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