

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.658 of 2019

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Rajesh Kumar Son of Prabhakar Kumar Sinha, resident of Ward No. 26, Ratna Smriti Sahay Campus, Near Indian Public School, Sahay Campus, Chhata Chowk, P.S.- Mohammadpur Kazi, District- Muzaffarpur, as Assistant AIPNBOF Muzaffarpur (Unit).

... .. Petitioner/s

Versus

1. The Punjab National Bank through its Managing Director and Chief Executive Officer, Head Office, Plot No. 4, Sector 10 Darika New Delhi.
2. Executive Director, H.R. Administration.
3. The General Manager, Punjab National Bank, Human Resources Development Division, Corporate Office, Sector 10, Dwarka, New Delhi.
4. The Zonal Manager, Punjab National Bank, R. Block Chanakya Towers, Chankya Place, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ratanakar Jha, Adv.
For the Respondent/s	:	Mr. Mritunjay Kumar, Adv.
	:	Mr. Ram Ganesh, Adv.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

6 09-10-2023 Heard learned counsel for the petitioner and learned counsel for the State.

2. Counsel for the petitioner has filed the present writ petition for challenging the Circular No. 778 dated 25.07.2018 by which concept of mandatory leave policy has been introduced for the employees and officers of the Punjab National Bank and further prayer has been made for quashing the HRDD Circular No. 785 dated 17.10.2018 issued clarifying the earlier policy vide Circular No. 783 dated 29.09.2018.

3. Counsel for the petitioner submits that the Punjab National Bank has recognized total seven types of leave according to Chapter-4 of the service rule framed by the Bank relating to employees and officers of the Punjab National Bank. He submits that a new types of mandatory leave policy has been

introduced which is not in consonance with the service rule.

4. Counsel for the Punjab National Bank raised preliminary objection that the petitioner has no *locus standi* to challenge the same as the petitioner has nowhere mentioned in the writ petition that who is he and what is his legal status to challenge the service rule of the Punjab National Bank.

5. Counsel for the petitioner in reply submits that it is true that he has not mentioned anything about the petitioner, but in the place where the name of petitioner used to be written, he has stated that the petitioner is assistant in the Union.

6. In this background, this Court is of the view that a person who is assistant of Union is not sufficient to challenge the rule, regulation and circular of any Bank, particularly when there is not a single bit of paper whether a Union is recognized Union or not. It also transpires to this Court that not a single representation has been filed by the Union before the authority who has framed the circular.

7. In this view of the matter, this Court finds no merit in this case. As such, the present writ application is hereby dismissed.

(Dr. Anshuman, J.)

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