

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4395 of 2018

Amresh Kumar Yadav Son of Sri Devendra Yadav Resident of C/o Bhuwan Mohan Pandey, House No. 7, Bank Coloney, Tulsi Nagar, Bhagalpur, Posted as Single widow Operator, Dena Bank, Mathurapur Branch, Bhagalpur, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The Chief Managing Director C. M. D. Dena Bank and Ors
2. The Zonal Manager, Dena Bank, Patna Zone, 2nd Floor, N.P. Tower, Kankar Bagh, Main Road, Patna- 800
3. The Deputy Zonal Manager, Dena Bank, Patna Zone, 2nd Floor, N.P. Tower, Kankar Bagh, Main Road, Pat
4. The Branch Manager, Dena Bank, Mathurapur Branch, Nath Nagar Circle, P.S. District- Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Mukesh Kumar Jha, Advocate Mr. Ashok Kumar Yadav, Advocate
For the Respondent/s	:	Mr. Sanjeev Shankar, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL JUDGMENT
Date : 26-02-2024

Heard learned counsel for the petitioner and
learned counsel for the Bank.

2. The present writ petition has been filed by the petitioner for re- fixation of his basic pay according to fitment of salary under ex-servicemen category.

3. Learned counsel for the Bank has raised preliminary objection, which are in two folds. Firstly that petitioner has grievances against Dena Bank. Now Dena Bank has merged with the Bank of Baroda, therefore, the petitioner's



case is not maintainable and it suffers from mis-joinder and non-joinder of necessary party. The second point he raised that the petitioner is a workman and grievances for workman, the liberty available to the petitioner is before the Labour Court/Forum made for hearing the grievances of workman, i.e., Labour Tribunal or Labour Court.

4. In response thereof, learned counsel for the petitioner submits that it is true that petitioner had grievances against Dena Bank at the time of filing of the writ petition, but during pendency of the writ petition, the Dena Bank has merged with the Bank of Baroda and, as such, all rights and liabilities of Dena Bank has now vested in Bank of Baroda.

5. In the light of the submissions made by the parties and after going through the pleadings, it transpires to this Court that the representation of the petitioner is still pending at the level of officials of Dena Bank, who is now Bank of Baroda. In this background, without entering into the merit of this case, this Court only directs the petitioner to file a fresh representation before the officials of Bank of Baroda for his grievances and officials of Bank of Baroda is directed to pass reasoned and speaking order within 90 days from the date of receipt/production of a copy of this order.



6. If the grievances of the petitioner is not settled then liberty is granted to the petitioner to challenge the same before the Labour Tribunal/ Forum.

7. With this direction, this writ petition is disposed off.

(Dr. Anshuman, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	28.02.2024
Transmission Date	NA

