

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14800 of 2024

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1. Sharwan Kumar Akela, son of late Jharokhi Singh, Resident of Shiv Nagar, P.S.- Hatia, District- Ranchi. Working as Senior Security Guard at Reserve Bank of India, Gandhi Maidan, Patna.
 2. Pankaj Kumar, Son of Vishwanath Yadav, Resident of Kanhaiyachak, PS- Parbatta, District-Khagaria. Working as Senior Security Guard at Reserve Bank of India, Gandhi Maidan, Patna.
 3. Jay Prakash Panday, Son of Lal Babu Panday, Resident of Rajiv Nagar, PS- Rajiv Nagar, Patna. Working as Senior Security Guard at Reserve Bank of India, Gandhi Maidan, Patna.
 4. Rajeev Kumar Thakur, Son of Arvind Kumar Thakur, Resident of Taiyabpur, PS- Desri, District-Vaishali. Working as Senior Security Guard at Reserve Bank of India, Gandhi Maidan, Patna.
 5. Jay Prakash Mishra, Son of Bibhishan Mishra, Resident of Dubauli, PS- Deoria, District- Muzaffarpur. Working as Senior Security Guard at Reserve Bank of India, Gandhi Maidan, Patna.

... .. Petitioner/s

Versus

1. The Reserve Bank of India through, Chief General Manager, Human Resources Management Department, Reserve Bank of India, Central Office Building, Shahid Bhagat Singh Road, Fort, Mumbai, Maharastra-400001.
2. The Chief General Manager, Human Resources Management Department, Reserve Bank of India, Central Office Building, Shahid Bhagat Singh Road, Fort, Mumbai, Maharastra-400001.
3. The Deputy General Manager, Human Resources Management Department, Reserve Bank of India, Gandhi Maidan, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mrs. Anjani Kumar Jha, Advocate
		Ms. Puja Kumari, Advocate
		Ms. Somya Verma, Advocate
For the Respondent (RBI:		Mr. Amit Prakash, Advocate

CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

2 30-09-2024 The petitioners were appointed in Class IV Cadre of Service on Ex-Servicemen Quota during 2014-2015 in Reserve Bank of India at Patna. On the basis of a settlement between the Reserve Bank Workers Federation and the RBI Authority, dated



on 29th April 2014, it was decided that there would be a promotional avenue from Group IV Cadre to Group III Cadre, and the vacancies for the purpose of consideration of Class IV employees will be taken notionally at 3% of the actual working strength of Class III employees at the Office/Center as on 1st January of the calendar year.

2. It is contended on behalf of the petitioners that during 2019-2020, the vacancies were not filled up, though there were vacancies in Group III cadre. In 2021, a notification was issued for promotion to the post of Group III Cadre by way of departmental examination. There were 3 posts notified. The petitioners submitted their candidatures in the said examination, but they were unsuccessful. It is contended on behalf of the petitioners that if the vacancies accrued in the year 2019-2020 were included in the vacancy notification in the year 2021, the petitioners could have been promoted to Group III post on the basis of their result in the departmental examination.

3. The learned Advocate appearing on behalf of the petitioner further submits that on similar facts and circumstances, the High Court of Telangana, the High Court of Madhya Pradesh, and the Allahabad High Court passed interim orders directing the Reserve Bank authority to calculate the



vacancy position which accrued in a particular year, and those vacancies would be secluded and no appointment would be given in respect of those vacancies till the disposal of the writ petitions.

4. In the instant case, it is found from the record that the petitioners made representations before the respondent authorities, but the said representations were not considered. Under such circumstances without passing an interim order, this Court directs the respondent authority to dispose of the representations filed within 60 days from the date of this order and pass a reasoned and speaking order after giving opportunity to the petitioners or their representatives of being heard.

(Bibek Chaudhuri, J)

Suraj Dubey/-

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