

02-05-2024
ct no. 13
Sl. 22
sp

WPA 3977 of 2024
Sk. Jahangir
-Versus-

Union of India & Ors.

Mr. Sundar Gopal Bhattacharyya
..for the petitioner

Mr. Tilak Mitra,
Mr. Partha Chakraborty
...for the UOI

Mr. Parna Roy Chowdhury,
Ms. Sucheta Pal
..for the Bank

1. Affidavit of service filed in Court today is taken on record. The petitioner is aggrieved by an age restriction contained in the recruitment notification for part-time sweeper in the Punjab National Bank of the year 2021. There was another recruitment process in the year 2022 thereafter. The writ petition is even otherwise therefore belated and cannot be entertained.
2. Counsel for the petitioner, however, relies upon an order of a Co-ordinate bench of this Court dated 21st September, 2022 passed in WPA 20636 of 2022 directing the bank to consider the representation made by the petitioner.

3. The basis of the writ petition was that the petitioner was a part-time badli sweeper of the bank for 10 years. He sought permanent absorption. The representation was considered and rejected.
4. The petitioner relies upon a decision of the Full Bench of this Court in the case of ***Gobinda Chandra Mondal and Etc.Etc. Vs. The Principal, Rabindra Mahavidyalaya & Ors.*** reported in ***(2013) 138 FACLR 657*** and submits that given his 10 year badli service in the bank age of 24 years should be suitably relaxed.
5. This Court is of the view that the said Full Bench decision has no manner of application in the instant case. The engagement of sweepers conducted by the Punjab National Bank (formerly known as UBI) was not pursuant to any scheme for regularization. It was a standard recruitment process.
6. Apart from the delay in challenging the age restriction in the recruitment process of 2021 whereafter another recruitment process has already been completed by the bank, it is now well-settled that the terms and conditions of recruitment processes are sacrosanct and cannot be interfered with.

7. In view of the above, no relief can be granted to the petitioner.
8. The writ petition fails and is hereby dismissed.
9. There shall be no order as to costs.
10. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all formalities.

(Rajasekhar Mantha, J.)