

Vina Khadpe

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6195 OF 2024

Vallabha Jairam Ubhedal

...Petitioner

Versus

Bank of Maharashtra and anr

...Respondents

Mr. Vikram Walawalkar i/b. Mr. Hrishikesh S. Shinde for the
Petitioner.

**CORAM : A.S. CHANDURKAR &
JITENDRA JAIN, JJ**

DATE : 6TH MAY, 2024.

P.C. :

1. Petitioner is serving as Senior Manager (Scale III) at Respondent No.1 – Bank, Satara. His sister suffers from mental illness and has been diagnosed from schizophrenia. Her permanent mental disability has been assessed at 85%. The Petitioner came to be transferred from at Satara to its Zonal Office at Chandigarh on 9th February 2024. Pursuant to the challenge raised to the aforesaid order, the Petitioner was directed to first join at the place of transfer and make a representation. Thereafter, the said representation came to be rejected on 21st March, 2024.

2. The learned counsel for the Petitioner by referring to the Office Memorandum dated 8th October 2018 submits that after taking into consideration the provisions of the Rights of Persons with Disabilities Act, 2016, exemption has been granted to the care-giver of a dependent with Specified Disabilities from the routine exercise of transfer. Though this Office Memorandum is applicable to public Sector Banks, the transfer policy of Respondent No.1-Bank dated 13th April, 2022, does not provide for such contingency. The prayer therefore is to read into the said Circular in the spirit of Office Memorandum dated 8th October, 2018.

3. Issue notice to the Respondents returnable on **12th June, 2024**. An endeavour shall be made to decide the Writ Petition at the stage of admission.

[JITENDRA JAIN, J.]

[A.S. CHANDURKAR J.]