



2024: DHC: 467



\$~76

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

% Judgment delivered on: 18.01.2024

+ **W.P.(C) 732/2024**

**GURGAON GRAMIN BANK
WORKERS ORGANIZATION & ANR** Petitioner

versus

UNION OF INDIA AND ORS Respondents

Advocates who appeared in this case:

For the Petitioner : Mr. Ganesh Sharma, Advocate

For the Respondents : Mr. Ripu Daman Bhardwaj, CGSC with
Mr. Kushagra Kumar, GP for UOI.
Ms. Dharna Veragi, Advocates for R-
3/PNB.

**CORAM:
HON'BLE MR. JUSTICE TUSHAR RAO GEDELA**

JUDGMENT

TUSHAR RAO GEDELA, J. (ORAL)

(The proceeding has been conducted through Hybrid Mode)

CM APPL. 3212/2024

1. Exemption allowed subject to all just exceptions.
2. The application stands disposed of.

W.P.(C) 732/2024



2024 : DHC : 467



3. This is a petition under Article 226 of the Constitution of India. The prayer sought therein is as under:-

“A. Issue appropriate writ or order or direction in the nature of mandamus or any other appropriate writ for directing the respondent no.1 to decide the representation of the petitioner dated 29.06.2023 in time bound manner.”

4. Learned counsel appearing for the petitioner invites attention of this Court to page 85 Annexure P-6, which is the letter dated 08.02.2016 issued by RRB Government of India to the Chairman, Sarva Haryana Gramin Bank-respondent no.2, referring to the letter dated 01.12.2015 *vide* which the said bank had sent the 125 copies of the regulations of Sarva Haryana Gramin Bank (Officers and Employees) Service Regulations, 2010 for laying on the tables of both the Houses of Parliament.

5. On reviewing the said regulations, the Government of India was of the considered opinion that the introductory part of Service Regulations, notified by RRB, is not as per the legal standards and, as such, they were advised to notify a Corrigendum in the Official Gazette. As also, were advised to get the same vetted by National Bank for Agricultural and Rural Development (NABARD), Mumbai.

6. Learned counsel submits that rather than following the directions given by the Government of India, the respondent no.2/ Sarva Haryana Gramin Bank, by the letter dated 29.02.2016 had informed the NABARD that in view of the directions of the Ministry of Finance, as noted above, the bank had obtained the legal opinion of two Advocates on Panel of their bank, whose opinion was that *“there was no deficiency in the language of the introductory part of the ‘Aims and Objective”*



2024:DHC:467



7. Learned counsel submits that this is contrary to the directions passed by the Ministry of Finance and as such without having got the same vetted by NABARD, the service regulations could not be put into effect.
8. Learned counsel submits that by the notification dated 29.04.2019, the said Sarva Haryana Gramin Bank (Officers and Employees) Service Regulations, 2010, was promulgated.
9. Following this, the petitioners had, by their representation dated 29.06.2023 submitted to the Secretary, Department of Financial Service, Ministry of Finance, Government of India informed about the illegalities and the violations of the directions by respondent no.2.
10. Learned counsel submits that the representation that was submitted to the respondent no.1 has not been disposed of or considered till date. Learned counsel submits that, by way of the present petition, the petitioners are only seeking a direction that the said representation be disposed of by the Department of Financial Services, Ministry of Finance.
11. Issue notice.
12. Notice accepted by Mr. Ripu Daman Bhardwaj, learned CGSC for respondent no.1 and by Ms. Dharna Veragi, learned counsel for respondent no.3.
13. Learned counsel for respondent no.3 submits that the Punjab National Bank has no role to play and as such is a surplusage and ought to be deleted from the array of parties.
14. Since this Court is not considering the disputes on merits, the objection by learned counsel for respondent no.3 in respect of Punjab National Bank will be considered at the appropriate stage.



2024: DHC: 467



15. Without reflecting or making any observation on the merits of the case, this Court simply directs respondent no.1 to dispose of the representation dated 29.06.2023, if received by it, within eight weeks from the receipt of this order. The said order be communicated to the petitioners as well.

16. With the aforesaid directions, the petition is disposed of.

TUSHAR RAO GEDELA, J

JANUARY 18, 2024

Aj