

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.569 of 2022

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Vinay Kumar Son of Late Jamun Mahato Resident of Village Kaihiya
Kurhani Police Station Kurhani, District Muzaffarpur.

... .. Petitioner/s

Versus

1. The Chief Manager, Canara Bank (Syndicate Bank) Gandhi Maidan, Patna.
2. The Regional Manager, General Administration Department, Regional Office, Canara Bank (Sundicate Bank), Muzaffarpur.
3. The Branch Manager, Tirhut Canal Division Branch, Canara Bank (Syndicate Bank), Ramdayalu Nagar Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Nath Dubey, Advocate
For the Respondent/s : Mr. Rajan Ghoshrave, Advocate

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL JUDGMENT

Date : 10-12-2025

Heard learned counsel for the petitioner and learned
counsel for the Respondent-Canara Bank (Syndicate Bank).

2. The present writ petition has been filed for the
following relief(s):-

*“For issuance of writ/writs,
order/orders, direction/directions, to
the respondents to give permanent
status of sweeper to the petitioner and
pay full salary to him because the
petitioner is working under the
respondents and completed 241 days
of service and the person empanelled
by letter dated 04.08.2010 finding*



place at Serial No.2 of the panel has been given permanent status and further direct the respondents to pay regular salary to the petitioner in accordance with law and further for any other relief or reliefs as the petitioner is found entitled to in the facts and circumstances of the case for the ends of justice.”

3. Learned counsel for the petitioner submits that there were two persons, namely the petitioner, who has been appointed against the BC category, and one Santosh Kumar Mallik, who has been appointed against the SC category. They were selected in the panel of temporary PTS status. Counsel submits that the said Santosh Kumar Mallik has been appointed as per Annexure-R/1 to the counter affidavit dated 06.02.2016 and he has been granted the status of Probationary Part Time Sweeper until further orders. Counsel submits that the same may be granted to the petitioner, as the petitioner is working since 2010 in the bank with honesty and sincerity.

4. Learned counsel for the Respondent-Canara Bank (Syndicate Bank) on the other hand opposes the prayer of the petitioner and submits that in the counter affidavit, a categorical stand has been taken that the said Santosh Kumar



Mallik was regularized due to vacancy under category reserved for Scheduled Caste as he belonged to Scheduled Caste and he has been appointed against the reserved post for Scheduled Caste.

5. It transpires to this Court that the petitioner and the said Santosh Kumar Mallik were appointed/selected by a common letter dated 04.08.2010. From the counter affidavit, it is not clear and no averment has been made regarding the petitioner. However, from the documents, it transpires that the petitioner was engaged under the BC category, as he belonged to the said category.

6. Therefore, this Court hereby directs the respondent-Bank that if, there is any vacancy available under BC category and the petitioner who has been appointed against the reserved post for BC category and if, the vacancy is available, then the petitioner is directed to be treated on the same line and he be directed to be appointed in accordance with Annexure-R/1 dated 06.02.2016 against the BC category post. The petitioner is directed to file his representation in this regard, upon which the concerned respondent authority shall take a decision and do the needful in accordance with the observations made within 90 days.



7. Accordingly, with the aforesaid direction, the present writ petition stands disposed off.

(Dr. Anshuman, J)

Divyansh/-

AFR/NAFR	
CAV DATE	NA
Uploading Date	12/12/2025
Transmission Date	NA

