

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11925 of 2022

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Roshan Kumar S/o Late Shailendra Kumar resident of Middle School, P.O. -
Bishunpur, P.S. - Bishunpur, District - Saharsa, Bihar, Pin Code - 852107.

... .. Petitioner/s

Versus

1. Central Bank of India through its Chairman, Central Office, Chandermukhi, Nariman Point, Mumbai, Pin Code - 400021.
2. The Chairman, Central Bank of India, Central Office, Chandermukhi, Nariman Point, Mumbai, Pin Code - 400021.
3. The General Manager, Human Resources Department, Central Bank of India, Central Office, 17th Floor, Chandermukhi, Nariman Point, Mumbai, Pin Code - 400021.
4. The Chief Manager (H.R.D.), Central Bank of India, Zonal Office Katihar, Bihar, 2nd Floor, Block-B, Mauryalok Complex, Dak Bungalow Road, District- Patna, Bihar Pin Code - 800001.
5. The Chief Manager (H.R.D.), Central Bank of India, Regional Office, 1st Floor, Sah Katra, New Market Road, Katihar, Bihar, Pin Code - 854105.
6. The Branch Manager, Central Bank of India, Pastapar Branch, Block - Sourbazar P.O. - Pastapar, District - Saharsa, Bihar, Pin Code - 852107.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Navneet Govindam, Advocate
For the Respondent/s : Mr. Anup Kumar Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 20-11-2025 Heard learned counsel for the petitioner and learned
counsel for the respondents-Bank.

2. The petitioner has filed the instant application for
the following relief(s):

*“(i) to set aside and quash the Order vide
letter no. RO/KATI/HRD/2021-22/562 dated
28.10.2021 (Annexure V) and Order for rejection of
application of reconsideration of the case of the
petitioner (Annexure VII) as illegal and arbitrary;*



(ii) to direct the respondents to honour and abide by the directions of the Government of India vide Notification no. D.O.F No. 18/2/2013-IR dated 07.08.2014 issued by the Department of Financial Services, Ministry of Finance;

(iii) to direct the respondents to grant appointment to the petitioner on compassionate grounds as per the Notification no. D.O.F. No. 18/2/2013-IR dated 07.08.2014;

(iv) and for other relief(s) as deemed to be fit and proper in the ease.”

3. The case of the petitioner in brief is that his father who was working in the capacity of the Head Cashier in the Central Bank of India died in harness on 5.3.2020. The petitioner filed his application for appointment on compassionate ground on 5.10.2020 which was rejected vide letter/communication dated 3.2.2022 informing the ground for rejection which was that the petitioner-applicant did not fulfill the age criteria as per the Bank's recruitment policy. As such, the petitioner has filed the instant application for the relief prayed for as stated herein above.

4. It is submitted by learned counsel for the petitioner that the respondent-Bank has erred in rejecting the application filed by the petitioner. Referring to the scheme for compassionate appointment in Public Sector Banks brought on record as Annexure-2 to the writ application and sent by the



Deputy Chief Executive of the Indian Banks Association to the Chief Executive of all Public Sector Banks, it is submitted that Clause 6 thereof provides that compassionate appointment under the scheme are exempted from observance of the normal recruitment procedure as also exempt from the Bank orders on filling up of posts issued by the Government of India or any controlling authority. Clause 7 further provides that upper age limit could be relaxed wherever found necessary. Learned counsel thus submits that the respondents should have relaxed the upper limit of the age required in terms of the policy of the Bank as the petitioner had been found eligible in all other respects. The order dated 28.10.2021 be set aside and the petitioner be appointed on compassionate ground.

5. The application is opposed by learned counsel appearing for the Bank. It is submitted that so far as the scheme of compassionate appointment as contained in Annexure-2 is concerned, the same has not been accepted by the Bank and the appointment on compassionate ground in the Bank is carried out in terms of specific scheme being Policy for Appointment on Compassionate Grounds or Payment of Lumpsum Ex-Gratia Amount (Annexure-A to the counter affidavit). It is submitted that Clause 5.2 thereof which deals with eligibility clearly



provides that the applicant should be eligible and suitable for the post in all respects under the provisions to the relevant recruitment rules and the recruitment rules (Annexure-B) requires the age to be between 20 years to 28 years. It is submitted that certain relaxation is provided for certain category of candidates and the case of the petitioner does not fall under any of the categories. It is thus submitted that the petitioner being over age being 33 years on the date of application, he has no case on merits and thus, the application be dismissed.

6. Heard learned counsel for the petitioner, learned counsel for the respondents-Bank and perused the material on record.

7. The relevant facts in brief are that the father of the petitioner having died while in service on 5.3.2020, the petitioner filed an application for appointment on compassionate ground. It is not in dispute that the appointment on compassionate ground in the Bank is carried out in terms of the policy contained in staff circular no.1120 dated 14.6.2021 titled as 'Policy for Appointment on Compassionate Grounds or Payment of Lumpsum Ex-Gratia Amount on death in harness of an employee'.

8. Clause 5 thereof deals with eligibility and 5.2



provides that the applicant for compassionate appointment should be eligible and suitable for the post in all respects under the provisions of the relevant recruitment rules. The relevant recruitment policy which has been adopted by the Board of the Bank on 26.3.2021 provides for age stipulation to be between minimum of 20 years and maximum of 28 years. It further provides that relaxation in upper age limit may be made for certain category of candidates as stated in the annexures.

9. So far as the petitioner is concerned, it is not in dispute that his date of birth is 4.3.1987 and on the date of his application, he was over 33 years of age.

10. So far as the category for which relaxation is provided, the Court having gone through the same finds the case of the petitioner does not fall under any of them.

11. The admitted fact thus is that the petitioner was over 33 years of age on the date of his application and the same was clearly in violation of the age stipulation as provided under the recruitment policy which required the age of the applicant to be between 20 to 28 years.

12. In this view of the matter, in the opinion of the Court, the petitioner has not made out any case for grant of relief as prayed for in the instant writ application.



13. The Court finds no merit in the writ application
and the same is dismissed.

(Partha Sarthy, J)

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