

R.V.W. 193 of 2023
With
CAN 1 of 2024
CAN 2 of 2025
(ASSIGNED)

Mousumi Sinha
Vs.
The Union of India & Ors.

Ms. Mousumi Sinha
... Petitioner in person

Ms. Rama Ghosh Dastidar
... Union of India

Mr. Soumen Das,
...for the UCO Bank

1. Heard the petitioner in person as well as the learned counsel for the Bank.
2. The petitioner’s claim for compassionate appointment was raised with the respondent/Bank in the year 2012, subsequent upon demise of her father in-harness on 14.10.2011. The issue has been considered and she was not found entitled for grant of compassionate appointment. She thereafter approached the writ court which rejected her claim. The matter was carried before the Division Bench in M.A.T. 1611 of 2022 which also has been dismissed by this Court.
3. The review has been filed on the ground that in spite of due diligence, the petitioner in person was

not aware of Judgement passed by an Hon'ble Single Judge, Andhra Pradesh High Court in Writ Petition No. 1159 of 2016, which according to the petitioner in person supports her claim for compassionate appointment. She has laid great emphasis on paragraph 11.2 and paragraph 14 of the Judgement.

4. The learned counsel for the Bank on the other hand submits that the entire matter has been considered by the Division Bench by an order which manifests consideration of the scheme for compassionate appointment dated 29.09.2014, applicable to the respondent/Bank. The Judgement relied upon by the petitioner in person is inapplicable to the present case. According to him in the present case, the issue has been decided by the Division Bench, whereas the Judgement sought to be relied upon by the petitioner in person is a Judgement passed by an Hon'ble Single Judge and that also of another High Court (Andhra Pradesh).
5. According to him, the Judgement is also inapplicable to the facts and circumstances of this case because the same is rendered keeping in view the provisions contained in the scheme for compassionate appointment applicable to the Bank in question in the said case (State Bank of

India), relying upon the provisions contained in the said scheme, which are not to be found in the Scheme dated 29.09.2014 issued by the UCO Bank, applicable in the present case.

6. The petitioner in person, however, submits that the distinguishing feature of the scheme issued by the UCO Bank with that issued by the State Bank of India in the case arising for consideration before the Andhra Pradesh High Court, cannot be made the basis of rejecting the petitioner's claim as the banks are obliged to maintain uniformity in the matter of grant of compassionate appointment. She has laid emphasis on Article 14 of the Constitution of India to submit that employees of all the banks are required to be considered uniformly in the matter of grant of compassionate appointment and such discrimination is impermissible.
7. We have considered the rival submissions. The submission of the learned counsel for the respondent Bank that Judgement relied upon by the petitioner in person is rendered by an Hon'ble Single Judge of a different High Court, is correct.
8. We further find that the Judgement has been rendered keeping in view the provisions contained in a different scheme for compassionate appointment arising for consideration in the said

case, applicable to the State Bank of India and not the UCO Bank.

9. Even if, we are to accept that there was occasion to file a review on discovery of material being the Judgement of Andhra Pradesh High Court, which in spite of due diligence was not in the knowledge of the petitioner in person, it is apparent from plain reading of the Judgement and the provisions of the compassionate appointment scheme considered therein that the Court was considering a scheme applicable to a different Bank. It is also not in dispute by the appellant in person that the provisions contained therein which she seeks to rely upon, are absent in the scheme issued by the UCO Bank, which scheme has not been put to challenge.
10. Under such circumstances, this Court does not find any scope for reviewing the Judgement in question.
11. The review application being **R.V.W. 193 of 2023** is dismissed accordingly.

(Madhuresh Prasad, J.)

(Supratim Bhattacharya, J.)