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

+ W.P.(C) 763/2025 & CM APPL. 3780/2025

BHUPENDRA KANDPAL

.....Petitioner

Through: Ms. Pallavi Awasthi, Mr. Akash
Vajpai and Mr. Ayush Jain,
Advocates.

versus

CANARA BANK & ORS.

.....Respondents

Through: Mr. Parth Tandon, Advocate for R-
1.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

21.01.2025

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1. The petitioner has filed this petition, under Article 226 of the Constitution, challenging a communication of the respondent – Bank dated 29.08.2024, by which his request to join the Pension Scheme in terms of a circular of the Bank dated 12.06.2024, has been rejected.
2. The petitioner joined the service of the Bank on 03.08.1992, and was promoted to Senior Manager on 21.05.2007. It is stated by the petitioner that he applied for voluntary retirement on three occasions, in the years 2012, 2013 and 2014, but his requests were declined. By a communication dated 31.07.2014, he tendered his resignation from the services of the Bank. The resignation was accepted with effect from 17.01.2015.
3. The circular dated 12.06.2024 gives resignees, an option to avail of



the Bank's Pension Scheme, subject to certain conditions. The eligibility conditions include the condition that the employee has resigned from the service of the Bank on or before 26.04.2010. It is this condition that has been invoked by the Bank in denying benefit of the circular to the petitioner.

4. The position that the petitioner does not fulfil the eligibility conditions as they stand, is not disputed. The circular itself is not under challenge.

5. The contention of the petitioner, however, is that his resignation on 31.07.2014 was induced by harassment at the hands of the Bank, as a consequence of his complaint against corrupt activities of Senior Officers. It is contended that the rejection of his three applications for voluntary retirement were also motivated by a desire to harass him.

6. I am unable to accept this contention at this point in time. The petitioner has not, in the 10 years since his resignation, filed any litigation with regard these grievances.

7. It may also be noted that the petitioner was well aware of the financial consequences of his resignation. A communication dated 02.08.2014 has been annexed to the writ petition, in which the petitioner states *inter-alia* as follows:

*“When I am not willing to serve the organization any more, why you want me to pursue it. **It is not an ordinary sacrifice on my part to loose significant amount from my terminal benefits after serving the bank for 22 years through my decision of RESIGNATION.** Since, my present priorities are to take care of my bad health and my wife's health and to attend few family compulsions, I am compelled to take the decision of VRS/RESIGNATION. I do not have any intention to complicate the issue, I just want to free myself to attend my priorities. And same is requested/expected from your end. Hence, I may be treated as a Citizen of free India, having few fundamental rights, which*



may kindly be respected.”

[Emphasis supplied.]

Although the petitioner has subsequently made representations for grant of retiral benefits, those have not been accepted. No litigation has been filed for this purpose, either.

8. In the aforesaid situation, I am unable to find fault with the decision taken by the Bank, in terms of the circular dated 12.06.2024.

9. The petition, alongwith the pending application, is disposed of.

PRATEEK JALAN, J

JANUARY 21, 2025

SS/JM/