



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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CWP No.14341 of 2026

Date of Decision: **21.05.2026**

Sarva Haryana Gramin Bank Officers Organisation and another
....Petitioners

Versus

Union of India and others
....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present : Mr. Ganesh Chand Sharma, Advocate (through VC)
for the petitioners.

Mr. Paul S.Saini, Senior Panel Counsel
for respondent No.1.

HARPREET SINGH BRAR, J. (Oral)

CM No.8311-CWP of 2026

The present application has been filed under Section 151 of CPC for placing on record true typed copy of Annexure P2 with exemption from filing certified copy thereof.

In view of the grounds mentioned in the application, the same is allowed. True typed copy of Annexure P2 is ordered to be taken on record.

Registry is directed to place the same at an appropriate place.

CWP No.14341 of 2026

1. Petitioners-organisation have filed the present writ petition under Article 226 of the Constitution of India seeking issuance of appropriate writ in the nature of *Mandamus* to the respondents for initiation and completing the promotion process in a timely and fair manner in the Haryana Gramin Bank.



2. Learned counsel for the petitioners vehemently contends that inaction of the respondents in not initiating the promotion process for the year 2026-27 is wholly arbitrary, discriminatory and violative of Articles 14 and 16 of the Constitution of India, inasmuch as the sponsor bank (Punjab National Bank) has already completed the said exercise while respondent No. 2 has failed to even initiate it, thereby causing grave prejudice to eligible officers who are deprived of consideration for promotion reckoned as on 31.03.2026. He further contends that the respondents are bound by the Regional Rural Banks (Appointment of Officers and Employees) Rules, 2017 and the established service practice of completing promotions in a time-bound manner aligned with the financial year. Learned counsel for petitioners further submits that despite representation dated 02.04.2026 (Annexure P3) submitted before the competent authority, no effective decision has been taken thereon till date.

3. I have heard learned counsel for the petitioners and perused the file.

4. The law consistently mandates that service disputes are essentially personal and individual in character, and therefore, only a person directly and substantially aggrieved by the impugned action is entitled to invoke the extraordinary jurisdiction of this Court under Article 226 of the Constitution. Any dilution of this settled principle would not only distort the framework of service law but also open the floodgates to meddlesome, motivated, and speculative litigation.

5. A Three Judges' Bench of the Hon'ble Supreme Court in ***R.K. Jain v. Union of India, 1993 INSC 204*** while speaking through Justice K. Ramaswamy observed as under :-



*“75. Sri Harish Chander, admittedly was the Sr. Vice President at the relevant time. The contention of Sri Thakur of the need to evaluate the comparative merits of Mr. Harish Chander and Mr. Kalyansundaram a seniormost Member for appointment as President would not be gone into in a public interest litigation. Only in a proceedings initiated by an aggrieved person it may be open to be considered. This writ petition is also not a writ of quo-warranto. **In service jurisprudence it is settled law that it is for the aggrieved person i.e. non-appointee to assail the legality of the offending action. Third party has no locus standi to canvass the legality or correctness of the action.** Only public law declaration would be made at the behest of the petitioner, a public spirited person.”*

6. The foundational principle governing *locus standi*, particularly in service jurisprudence, is that only a person who has suffered a legal injury can maintain an action before a court of law. A "legal right" is an entitlement or benefit conferred upon a person by the rule of law, and the existence of such a right is a condition precedent for invoking writ jurisdiction under Article 226 of the Constitution. Mere harm, annoyance, or sentimental grievance, termed *damnum sine injuria*, does not confer the status of an "aggrieved person." To be considered aggrieved, an individual must demonstrate that they have been deprived of a legal right or that their legally protected interest has been adversely affected or jeopardized. A person having merely a remote or tenuous interest, or who initiates litigation driven by personal animosity, or even one who professes to act in public interest as a self-styled vigilant, cannot claim *locus standi*, as they lack the "legal peg" upon which a justiciable claim can be hung.

7. The existence of a legal right is the *sine qua non* for invoking the writ jurisdiction of constitutional courts under Article 226. A person cannot be



heard as a party unless they qualify as an "aggrieved person," which requires demonstration of a particularized legal injury or prejudice to an interest distinct from that of the general public.

8. A Two Judges' Bench of the Hon'ble Supreme Court in *Ayaaubkhan Noorkhan Pathan v. State of Maharashtra, 2012 INSC 512* while speaking through Dr. Justice B.S Chauhan observed :-

*"7.It is a settled legal proposition that **a stranger cannot be permitted to meddle in any proceeding, unless he satisfies the Authority/Court, that he falls within the category of aggrieved persons.***

***Only a person who has suffered, or suffers from legal injury can challenge the act/action/order etc. in a court of law.** A writ petition under Article 226 of the Constitution is maintainable either for the purpose of enforcing a statutory or legal right, or when there is a complaint by the appellant that there has been a breach of statutory duty on the part of the Authorities. **Therefore, there must be a judicially enforceable right available for enforcement, on the basis of which writ jurisdiction is resorted to.** The Court can of course, enforce the performance of a statutory duty by a public body, using its writ jurisdiction at the behest of a person, provided that such person satisfies the Court that he has a legal right to insist on such performance. **The existence of such right is a condition precedent for invoking the writ jurisdiction of the courts.** It is implicit in the exercise of such extraordinary jurisdiction that, the relief prayed for must be one to enforce a legal right. Infact, the existence of such right, is the foundation of the exercise of the said jurisdiction by the Court. **The legal right that can be enforced must ordinarily be the right of the appellant himself, who complains of infraction of such right and approaches the Court for relief as regards the same.** (Vide : *State of Orissa v. Madan Gopal Rungta, AIR 1952 Supreme Court 12; Saghir Ahmad & Anr. v. State of U.P., AIR 1954 Supreme Court 728; Calcutta Gas Company (Proprietary) Ltd. v. State of West Bengal & Ors., AIR**



1962 Supreme Court 1044; Rajendra Singh v. State of Madhya Pradesh, 1996(3) RCR (Civil) 565 : AIR 1996 Supreme Court 2736; and Tamilnadu Mercantile Bank Shareholders Welfare Association (2) v. S.C. Sekar & Ors., (2009) 2 SCC 784).

8. A "legal right", means an entitlement arising out of legal rules. Thus, it may be defined as an advantage, or a benefit conferred upon a person by the rule of law. The Expression, **"person aggrieved" does not include a person who suffers from a psychological or an imaginary injury; a person aggrieved must therefore, necessarily be one, whose right or interest has been adversely affected or jeopardised.** (Vide: *Shanti Kumar R. Chanji v. Home Insurance Co. of New York, AIR 1974 Supreme Court 1719 : 1974 2 SCC 387; and State of Rajasthan & Ors. v. Union of India & Ors., AIR 1977 Supreme Court 1361 : 1977 3 SCC 592.*)

22. Thus, from the above it is evident that under ordinary circumstances, **a third person, having no concern with the case at hand, cannot claim to have any locus-standi to raise any grievance whatsoever.** However, in the exceptional circumstances as referred to above, if the actual persons aggrieved, because of ignorance, illiteracy, in articulation or poverty, are unable to approach the court, and a person, who has no personal agenda, or object, in relation to which, he can grind his own axe, approaches the court, then the court may examine the issue and in exceptional circumstances, even if his bona fides are doubted, but the issue raised by him, in the opinion of the court, requires consideration, the court may proceed suo-motu, in such respect.

9. A Three Judges' bench of the Hon'ble Supreme Court in ***Jasbhai Motibhai Desai v. Roshan Kumar, 1975 INSC 333***, while speaking through Justice Sarkarai made the following observation:-

33. This Court has laid down in a number of decisions that **in order to have the locus standi to invoke the extraordinary jurisdiction under Article 226, an applicant should ordinarily be one who has a personal or individual right in the subject-matter of the application,** though in the case



*of some of the writs like habeas corpus or quo warranto this rule is relaxed or modified. In other words, as a general rule, infringement of some legal right or prejudice to some legal interest inhering in the petitioner is necessary to give him a locus standi in the matter-(See *State of Orissa v. Madan Gopal*, 1952 SCR 28; *Calcutta Gas Co. v. State of West Bengal*, 1962 Supp 1 SCR 1; *Ram Umeshwari Suthoo v. Member, Board of Revenue Orissa*, (1967) 1 SCA 413; *Gadda Venkateshwara Rao v. Government of Andhra Pradesh*, AIR 1966 Supreme Court 828; *State of Orissa v. Rajasaheb Chandanmall*, AIR 1972 Supreme Court 2112; *Dr. Satyanarayana Sinha v. M/s. S. Lal and Co.*, AIR 1973 Supreme Court 2720.)*

39. To distinguish such applicants from “strangers”, among them, some broad tests may be deduced from the conspectus made above. These tests are not absolute and ultimate. Their efficacy varies according to the circumstances of the case, including the statutory context in which the matter falls to be considered. These are: Whether the applicant is a person whose legal right has been infringed? Has he suffered a legal wrong or injury, in the sense, that his interest, recognised by law, has been prejudicially and directly affected by the act or omission of the authority, complained of? Is he a person who has suffered a legal grievance, a person “against whom a decision has been pronounced which has wrongfully deprived him of something or wrongfully refused him something, or wrongfully affected his title to something?” Has he a special and substantial grievance of his own beyond some grievance or inconvenience suffered by him in common with the rest of the public? Was he entitled to object and be heard by the authority before it took the impugned action? If so, was he prejudicially affected in the exercise of that right by the act of usurpation of jurisdiction on the part of the authority? Is the statute, in the context of which the scope of the words “person aggrieved” is being considered, a social welfare measure designed to lay down ethical or professional standards of conduct for the



community? Or is it a statute dealing with private rights of particular individuals?”

10. Further, reliance may be placed on the judgment rendered by a Two Judges’ bench of the Hon’ble Apex Court in ***Vinoy Kumar v. State of U.P, 2001 INSC 208***, which speaking through Justice R.P Sethi observed as under,

“2. Generally speaking, a person shall have no locus standi to file a writ petition if he is not personally affected by the impugned order or his fundamental rights have neither been directly or substantially invaded nor is there any imminent danger of such rights being invaded or his acquired interests have been violated ignoring the applicable rules. The relief under Article 226 of the Constitution is based on the existence of a right in favour of the person invoking the jurisdiction. The exception to the general rule is only in cases where the writ applied for is a writ of habeas corpus or quo warranto or filed in public interest. It is a matter of prudence, that the court confines the exercise of writ jurisdiction to cases where legal wrong or legal injury caused to a particular person or his fundamental rights are violated, and not to entertain cases of individual wrong or injury at the instance of third party where there is an effective legal aid organisation which can take care of such cases. Even in cases filed in public interest, the court can exercise the writ jurisdiction at the instance of a third party only when it is shown that the legal wrong or legal injury or illegal burden is threatened and such person or determined class of persons is, by reason of poverty, helplessness or disability or socially or economically disadvantaged position, unable to approach the court for relief.

11. Further, an identical issue was dealt by the Division Bench of the Madras High Court in ***The Tamil Nadu Higher Secondary Post Graduate Teacher's***



Welfare Association vs. Secretary to Government of TN, WA Nos. 1298, 1299 and 1300 of 2012 decided on 19.06.2024, wherein it is observed that,

*“3. Fixation or refixation of seniority and grant of promotion to the higher cadre are the individual grievances of the employees. In the event of refixation of seniority, some of the members of the appellant-Association may be granted promotions, some may not be granted. Even revision of seniority may affect only few members of the Association. **This exactly is the reason why the Courts have consistently held that services Association cannot maintain the writ petitions in respect of the individual grievances in service matters. An aggrieved person has to approach the Court of law for redressal of his grievances.**”*

12. Keeping in view the settled legal position as well as the facts and circumstances of the present case as narrated in the foregoing paras, this writ petition filed by petitioners-organisation deserves to be dismissed being not maintainable. Writ petition is, accordingly, dismissed with no order as to costs.

(HARPREET SINGH BRAR)
JUDGE

21.05.2026

‘om’

Whether speaking/reasoned. :	Yes/No
Whether Reportable. :	Yes/No