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

\+ W.P.(C) 10433/2018 & CM APPL. 26015/2023

MS. ANJU BALA .....Petitioner

Through: Mr. Shanker Raju & Mr. Nilansh Gaur, Advocates.

versus

STATE BANK OF INDIA .....Respondent

Through: Mr. Rajiv Kapur, SC, SBI with Mr. Akshit Kapur, AoR & Ms. Riya Sood, Advocate for R-1.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

O R D E R

% 27.01.2026

CM APPL. 56513/2025 (disposal of writ petition)

1. The Petitioner seeks disposal of the writ petition in terms of order dated 12th February, 2025 in WP(C) No. 9629/2017.

2. Having regard to the grounds cited in the application, the main writ petition is taken up on board for hearing today itself. The application is accordingly disposed of.

W.P.(C) 10433/2018

3. This petition under Article 226 of the Constitution of India is directed against the communication dated 30th July, 2018, whereby the Petitioner's request for appointment on compassionate grounds was rejected by the Respondent Bank, and the subsequent communication dated 12th September, 2018, issued under the Right to Information Act, 2005, wherein it was stated

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that compassionate appointment had not been discontinued but was applicable only in the exceptional cases mentioned therein.

4. The Petitioner's husband, Sanjay Kumar, was employed as a Head Messenger with SBI from 24th November, 1990 until his death on 30th November, 2017, at the age of 47 years. The Petitioner, who was then approximately 34 years of age, made several representations to the Respondent, seeking appointment on compassionate grounds. The Respondent, however, declined the request on the ground that its Circular provided for compassionate appointment only in the following exceptional cases:

> *"a) Where an employee died while performing official duty, as a result of violence, terrorism, robbery or dacoity ; or*
> *b) Where an employee died within five years of first appointment or before reaching the age of 30 years, whichever was latter, leaving a dependent Spouse and/or minor children."*

5. In all other cases where an employee died in harness, the Bank offered an ex-gratia financial amount to his dependants, but not a compassionate appointment.

6. While rejecting the Petitioner's request for compassionate appointment vide communication dated 30th July, 2018, the Respondent Bank indicated that the Petitioner may apply for payment of ex-gratia amount in terms of its policy.

7. The Petitioner, however, did not accept the offer of ex-gratia payment and, by representations dated 1st September, 2018 and 4th September, 2018, reiterated her request for compassionate appointment and expressly declined ex-gratia payment. Thereafter, a communication dated 12th September, 2018 was issued under the Right to Information Act, 2005, conveying the

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Respondent Bank's position that compassionate appointment was applicable only in the exceptional categories mentioned therein. Aggrieved by the rejection of her request for compassionate appointment, the Petitioner filed the present writ petition.

8. In the course of hearing, keeping in mind the passage of time and the documents placed on record by the Respondent, counsel for the Petitioner submits that the Petitioner does not wish to press this petition, but submits that the Respondent may be directed to make payment of the ex-gratia amount.

9. Having regard to the aforesaid submission and the fact that the Respondent Bank itself had offered ex-gratia payment to the Petitioner, the request deserves acceptance. Although the time for making a request for ex-gratia payment has admittedly lapsed, the earlier offer was not accepted because the Petitioner was pursuing her remedies in the hope of compassionate appointment. The alternative solace, by way of ex-gratia payment, ought not to be declined only on account of lapse of time.

10. The writ petition is, therefore, disposed of with the direction that the Petitioner may apply to the Respondent for payment of the *ex-gratia* amount, which will be calculated in accordance with SBI's Circular, and paid after compliance of all necessary formalities. The matter be processed by the Respondent, and payment be made within a period of eight weeks after the request is received.

SANJEEV NARULA, J

JANUARY 27, 2026/*hc*

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