

Tarsem Lal Gautam

Vs

State Bank of Patiala and Others

Writ Petition No. 13369 of 1984

(Ranganath Misra, S. Ranganathan JJ)

09.02.1988

ORDER

1. Heard petitioner in person and counsel for the respondent. The respondent-Bank is a subsidiary of the State Bank of India. With effect from October 1, 1979 the State Bank of Patiala Officers (Service Regulations), 1979 came into force. Under the scheme contained in the Regulations the petitioner was entitled to fitment corresponding to the grade which he held by then. In view of the fact that he had already been promoted to grade A, on December 1, 1978, he was entitled to appropriate fitment. The respondent-Bank under an erroneous impression that the scheme required promotion and not fitment called the petitioner for an interview for the purpose of consideration as to whether he was suitable for promotion.

2. By an order today in a connected case we have already indicated that the process involved is that of fitment and not of promotion. Under the scheme contained in the Regulations the employer Bank was under obligation to give a corresponding post to the appellant with effect from October 1, 1979.

3. We accordingly allow the writ petition and call upon the respondent to provide the appropriate fitment to the petitioner with effect from October 1, 1979. He shall be entitled to all the benefits on the basis of fitment from that date. C. V. Madan had intervened in this proceeding. Learned counsel for the respondent-Bank represents that in the meanwhile he has been removed from the service. No directions are necessary with regard to him. No costs.

</html