

Chairman, Puri Gramya Bank vs Ananda Chandra Das on 12 September, 1994

Equivalent citations: 1994 SCC (6) 301, 1994 SCALE (4)307

Author: K. Ramaswamy

Bench: K. Ramaswamy, N Venkatachala

PETITIONER:
CHAIRMAN, PURI GRAMYA BANK

Vs.

RESPONDENT:
ANANDA CHANDRA DAS

DATE OF JUDGMENT 12/09/1994

BENCH:
RAMASWAMY, K.
BENCH:
RAMASWAMY, K.
VENKATACHALA N. (J)

CITATION:
1994 SCC (6) 301 1994 SCALE (4)307

ACT:

HEADNOTE:

JUDGMENT:

ORDER ORDER

1. Leave granted.

2. This appeal arises from the judgment of the High Court of Orissa in OJC No. 1007 of 1988, dated 4-3-1992. The respondent and others were selected by direct recruitment as managers of Rural Bank. His rank was No. 9 in the merit list. He was directed to be given seniority on the basis of the date of his reporting to duty. It is reported that the first respondent is dead. The only question in this case is that what shall be the ranking among the direct recruits? Is it the date on which they

joined duty or according to the ranking given by the Selection Board? On comparative evaluation of the respective merits of the candidates for direct recruitment, the Board had prepared the merit list on the basis of the ranking secured at the time of the selection. It is settled law that if more than one are selected, the seniority is as per ranking of the direct recruits subject to the adjustment of the candidates selected on applying the rule of reservation and the roster. By mere fortuitous chance of reporting to duty earlier would not alter the ranking given by the Selection Board and the arranged one as per roster. The High Court is, therefore, wholly wrong in its conclusion that the seniority shall be determined on the basis of the joining reports given by the candidates selected for appointment by direct recruitment and length of service on its basis. The view, therefore, is wrong. However, we need not interfere with the order, since the first respondent has died.

3. The appeal is accordingly disposed of. No costs. + From the Judgment and Order dated 4-3-1992 of the Orissa High Court in O.J.C. No. 1007 of 1988