

Supreme Court of India

Tarsem Lal Gautam vs State Bank Of Patiala And Ors. on 9 February, 1988

Equivalent citations: JT 1988 (1) SC 346, 1988 Supp (1) SCC 788, 1989 (2) SLJ 173 SC

Author: R Misra

Bench: R Misra, S Ranganathan

ORDER Ranganath Misra, J.

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 1.10.79 the State Bank of Patiala Officers (Service Regulation), 1979 came into force.
2. Under the scheme mentioned in the regulations the petitioner was entitled to fitment corresponding to the grade which he held then. In view of the fact that he had already been promoted to Grade on 1.12.78, 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.
3. By an order See -Ed. 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 1.10.79.
4. We accordingly allow the Writ Petition and call upon the respondent to provide the appropriate fitment to the petitioner with effect from 1.10.1979. He shall be entitled to all the benefit 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.