

(2014) 03 PAT CK 0087

In the Patna High Court

Case No : Civil Writ Jurisdiction Case No. 4757 of 2014

Pratyush Priyadarshi

APPELLANT

Vs

Uttar Bihar Gramin Bank

RESPONDENT

Date of Decision : 06-03-2014

Acts Referred:

Citation : (2014) 2 BBCJ 157

Hon'ble Judges : Mr. Chakradhari Sharan Singh, J.

Bench : Single Bench

Advocate : Mr. Mahesh Narayn Parbat, Advocate, for the Petitioner; Mr. Prabhakar Jha and Mr. Manoj Kumar, Advocates, for the Respondents

Final Decision : Disposed Off

Judgement

Mr. Chakradhari Sharan Singh, J.(Oral)—Petitioner seeks a direction to the respondents to consider the petitioner's candidature of his appointment on the post of Officer Scale-I In Uttar Bihar Gramin Bank, on the basis of Common Written Examination (CWE) conducted by the Institute of Banking Personnel Selection (IBPS) and allow him to appear in the interview for the said selection process, commencing from 7.3.2014.

2. The facts briefly stated are that the petitioner appeared in Common Written Examination (CWE) conducted by the Institute of Banking Personnel Selection for appointment on the post of Office Assistant (Multipurpose) and Officer Scale-I in Regional Rural Banks. The said examination was held in terms of the notification issued by IBPS in the month of June, 2013. The said notification contained inter alia, the following for the purpose of language proficiency:-

"II. Language Proficiency- The candidate for Officer Scale-I and Office Assistant (Multipurpose) are required to possess proficiency in the local language of State/ UT for which vacancies he/she wishes to apply, to be eligible as per notification of the concerned RRB as may be specified by the Board of RRB. (The condition does not apply for the posts of Officer Scale II and III). For ensuring proficiency

in the local language, the candidate should have passed 10th standard exam with local language as a subject."

3. His further contention is that Uttar Bihar Gramin Bank thereafter, invited applications from the eligible persons for various posts including Officers Scale-I who had been declared qualified at the online Common Written Examination (CWE) held by the IBPS during September/October 2013. The petitioner applied against the said advertisement and after having been selected in the test, interview letter has been issued to him, asking him to appear for interview on 7.3.2014.

4. This is an admitted fact that up to 8th standard the petitioner pursued Hindi as a subject but after 8th he opted for Sanskrit and he passed 10th examination with Sanskrit as one of the subjects and not Hindi. The petitioner's grievance is that in terms of the advertisement issued by Uttar Bihar Gramin Bank a candidate is required to submit documents including 10th standard examination's mark-sheet in support of local language i.e. "Hindi" for Office Assistant (Multipurpose) and Officer Scale-I. He submits that in view of such stipulation in the advertisement, the petitioner may not be allowed to appear for the interview as he did not pass Hindi at the 10th standard examination. It has been stated in the writ application that in the test conducted by IBPS, Hindi was also one of the papers and the petitioner qualified in Hindi also in the said test. He further submits that in the notification issued by IBPS for the purpose of holding examination as noted above, it was not stipulated that a candidate should have passed Hindi as local language at the 10th standard. For the first time, in the advertisement inviting applications issued by Uttar Bihar Gramin Bank the local language has been described as Hindi. It has been stated that similar controversy has arisen in Haryana Gramin Bank where the said Bank has taken a decision now that the candidates who had opted Sanskrit as one of the subjects at matriculation/10th standard after having passed local language of Hindi i.e. Hindi as one of the subjects at 8th standard would also be eligible for the post of Officer Scale-I and Office Assistant (Multipurpose).

5. From the advertisement, inviting applications for appointment to the various posts issued by Uttar Bihar Gramin Bank, it would appear that the Bank made it clear that at the time of interview candidate will be required to produce 10th standard examination's mark-sheet in support of local language i.e. Hindi, therefore, Uttar Bihar Gramin Bank for the purpose of appointment considered local language to be Hindi. This Court at this stage cannot issue a direction, asking the Bank to consider the petitioner's candidature in the light of the decision taken by Haryana Gramin Bank. A decision to this effect can be taken by the Bank itself.

6. This writ application is, accordingly, disposed of with a liberty to the petitioner to approach the Chairman, Uttar Bihar Gramin Bank, Muzaffarpur for consideration of his candidature in the facts and circumstances of the case, relying upon a decision taken by Haryana Gramin Bank in this regard.

7. It is made clear that I have made no observation commenting upon the petitioner's eligibility or otherwise for consideration to the said post and it is totally open to the Bank to take a decision.