

18.02.2026  
Item No.04  
Ct. No.236  
RP

**WPA 20825 of 2023**  
**Jayantri Ram**  
**Vs.**  
**Union of India & Ors.**

Mr. Sandip Roy  
...For Petitioner  
Mr. R. N. Majumder  
Mr. S.M. Obaidullah  
Mr. Roni Chowdhury  
...For Respondent/Bank

1. At the time of hearing learned advocate appearing on behalf of the respondent/bank at the very outset raises the point of maintainability of the instant writ petition.
2. It is submitted that by virtue of Memoranda of Settlements dated 10<sup>th</sup> April, 2002 and 27<sup>th</sup> May, 2002 on Disciplinary Action & Procedure Therefor for Workmen a Memorandum of Settlement dated 10<sup>th</sup> April, 2002 was arrived at between the managements of 52 'A' Class Banks as represented by Indian Banks' Association and their workmen as represented by the All India Bank Employees' Association,

National Confederation of Bank Employees, Indian National Bank Employees' Federation under Section 2(p) and Section 18(1) of the Industrial Disputes Act, 1947 read with Rule 58 of the Industrial Disputes (Central) Rules 1957.

3. It is submitted further that by virtue of the said Memorandum of Settlement dated 10<sup>th</sup> April, 2002 the present writ petitioner was found to be guilty of misconduct and, accordingly, a punishment was imposed upon him on completion of departmental procedure.
4. It is further submitted that by virtue of said Memorandum of Settlement dated 10<sup>th</sup> April, 2002 the writ petitioner ought to have raised an industrial dispute before the appropriate authority. It is further contended that for not availing the alternative remedy no relief may be granted to the writ petitioner since non-availing the alternative remedy is a bar in invoking the

highly prerogative writ jurisdiction of this Court.

5. At this juncture, Mr. Roy, learned advocate for the writ petitioner prays for an accommodation to come back with better preparation.
6. Let the matter be listed under the heading “Assigned Matters” in the week commencing from 9<sup>th</sup> March, 2026 preferably retaining its same position.
7. It is made clear that on the adjourned day the point of maintainability of the instant writ petition as raised by the learned advocate for the respondent bank will be considered first.

**[PARTHA SARATHI SEN, J.]**