

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No.906/2001

(From the judgement and order dated 14/09/2000 in LPA 514/2000
of The HIGH COURT OF PATNA)

CENTRAL BANK OF INDIA & ANR.

Petitioner (s)

VERSUS

JAYANT MAITRA

Respondent (s)

(With prayer for interim relief)

Date : 23/04/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.B. PATTANAİK
HON'BLE MR. JUSTICE U.C. BANERJEE

For Petitioner (s) Mr. Mukul Rohtagi,ASG
Mrs. Meera Mathur,Adv.for
M/s J.B. Dadachanji & Co.,Adv.

For Respondent (s) Mr.A.P. Mayee & Mrs. R.A.Mayee,Advs.for
Mr. S.V. Tambwekar,Adv.

UPON hearing counsel the Court made the following
O R D E R

.....L.....I.....T.....T.....T.....T.....J.
.SP2

The short question that arises for consideration in this Special Leave Petition is whether the letter submitted by the respondent on 3rd November, 1993 can be construed to be a letter of resignation so as to disentitle him the relief of pension, which is otherwise available in the case of a voluntary retirement. It is no doubt true that the Bank authorities have treated the same to be a letter of resignation. But on examining the language of the aforesaid letter and the terms contained therein, we are persuaded to come to a conclusion that the letter was one for voluntary

retirement and not for resignation, and in that view of the matter, the Regulation of 1995 having come into force with effect from 1.11.1993, the benefits flowing from that Regulation cannot be denied to the respondent. We therefore do not find any infirmity with the impugned order. The

Special Leave Petition is dismissed.

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(Y.P.Dhamija)

(Suneet Bala Sharma)@@

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