

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 8934 OF 2011

RUDRA KUMAR PAL AND OTHERS APPELLANTS

VERSUS

POORVANCHAL GRAMIN BANK AND OTHERS RESPONDENTS

WITH

CIVIL APPEAL NO.8863 OF 2011

O R D E R

These appeals arise out of the order passed by the High Court of judicature at Allahabad, dismissing the Civil Miscellaneous Writ Petition challenging the select list dated 10.09.2009 for promotion to the post of Officers Scale-I.

We have heard Mr. Manoj K. Mishra, learned counsel for the appellants and Mr. Rajesh Kumar Gautam, learned counsel for the respondent nos. 1 and 2 and Mr. Vineeth S. Varkalaivila, learned counsel for the selected candidates.

It is seen from the records that the appointment and promotion of Officers and other employees of a Regional Rural Bank, such as respondent no.1, are governed by a set of Rules known as the Regional Banks (Appointment and Promotion of Officers and other Employees) Rules, 1998 (for short 'the 1998 Rules'). Rule 6 of

these the 1998 Rules prescribes that all vacancies shall be filled up by promotion or direct recruitment in accordance with the provisions contained in the 1998 Rules and the Third Schedule to the 1998 Rules.

The Third Schedule to the 1998 Rules stipulates that 50% of the vacancies in the post of Scale I Officers classified as Group 'A' post, shall be reserved to be filled up by direct recruitment and remaining 50% reserved to be filled up by promotion.

The promotions are to be made on the basis of seniority-cum-merit. The selection is to be based upon the written test, interview and performance appraisal reports.

As per the Schedule, written test was to be for a maximum of 70 marks, interview was to be for a maximum of 20 marks and performance appraisal was to be for a maximum of 10 marks. The process of selection, so prescribed, was not challenged by the appellants. Once the process of selection was found to be in accordance with Rules, an attack to the selection can be made only on the basis of comparative marks. It was not the case of the appellants herein that they had secured higher marks in the overall ranking and that the contesting respondents, who were less meritorious, have scored a march over them. Therefore, the High Court rightly found that the selection was based strictly in accordance with the criteria of seniority-cum-merit and the case did not warrant interference.

Therefore, we find no merit in these appeals and the same are

dismissed. No orders as to cost.

Pending application(s), if any, shall stand disposed of.

.....J.
(V. RAMASUBRAMANIAN)

.....J.
(PANKAJ MITHAL)

NEW DELHI;
FEBRUARY 22, 2023.
PS

ITEM NO.110

COURT NO.15

SECTION III-A

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

CIVIL APPEAL NO. 8934/2011

RUDRA KUMAR PAL AND OTHERS

APPELLANT(S)

VERSUS

POORVANCHAL GRAMIN BANK AND OTHERS

RESPONDENT(S)

WITH

C.A. No. 8863/2011 (III-A)

Date : 22-02-2023 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE V. RAMASUBRAMANIAN

HON'BLE MR. JUSTICE PANKAJ MITHAL

For Appellant(s) Mr. Manoj K. Mishra, AOR
Mr. Umesh Dubey, Adv.
Ms. Kiran Pandey, Adv.
Mr. Sudhir S. Rawat, Adv.
Mr. A. Bhasme, Adv.

For Respondent(s) Mr. Rajesh Kr. Gautam, Adv.
Mr. Anant Gautam, Adv.
Mr. Vidur Ahluwalia, Adv.
Mr. Sumit Sharma, Adv.
M/S. Mitter & Mitter Co., AOR

Mr. Pradeep Kumar Dubey, AOR
Mr. Vineeth S. Varkalaivila, Adv.
Mrs. Sunita Yadav, Adv.
Mr. Abhigya Kushwah, Adv.
Mr. Ravindra Kumar Gupta, Adv.

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

Appeals are dismissed in terms of the signed order.

Pending application(s), if any, shall stand disposed of.

(POOJA SHARMA)
COURT MASTER (SH)

(RENU BALA GAMBHIR)
COURT MASTER (NSH)

(Signed order is placed on the file.)