

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 7003 OF 2009

STATE BANK OF INDIA & ORS.

... Appellant(s)

VERSUS

SANJEEV KUMAR SINHA

... Respondent(s)

O R D E R

The High Court has directed the appellant-bank to consider the case of the respondent for appointment on compassionate grounds.

In our considered opinion, the High Court has not taken into consideration the fact that the respondent's father (who was the Deputy Manager of the appellant-bank) had not left his family in a penurious condition. At the time of his death, not only he had been facing departmental enquiries, in which his guilt had been held to be proved, but also, a case had been lodged against the deceased for amassing illegal wealth.

Be that as it may, it appears that the appellant-Bank rightly rejected the claim of the respondent looking to the financial condition of the family. It even appears that their assets include a four-storeyed house.

In view of the same, we do not find any ground to sustain the order of the High Court directing the appellant-bank to consider

the claim of the respondent to get appointed on compassionate grounds. Moreover, the respondent is now aged about 46 years, his father's death having occurred about 23 years prior to this day. Financial constraints cannot be said to have existed at the time of death of the deceased, or to exist at this point of time.

Thus, the impugned judgment stands set aside. The appeal is, accordingly, allowed.

....., J.
(Mohan M. Shantanagoudar)

....., J.
(K.M. Joseph)

New Delhi;
December 11, 2019

ITEM NO.101

COURT NO.13

SECTION XVI

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 7003/2009

STATE BANK OF INDIA & ORS.

Appellant(s)

VERSUS

SANJEEV KUMAR SINHA

Respondent(s)

Date : 11-12-2019 This appeal was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE MOHAN M. SHANTANAGOUDAR
HON'BLE MR. JUSTICE K.M. JOSEPH

For Appellant(s) Mr. Sanjay Kapur, AOR
Mr. Bharath Gangadharan, Adv.
Ms. Megha Karnwal, Adv.
Mr. v.M. Kannan, Adv.

For Respondent(s) Mr. M.K. Sinha, Adv.
Ms. Binisha Mohanty, Adv.
Mr. Mritunjay Kumar Sinha, AOR

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

The impugned judgment stands set aside. The appeal is allowed
in terms of the signed order.

(GULSHAN KUMAR ARORA)
COURT MASTER

(R.S. NARAYANAN)
COURT MASTER

(Signed order is placed on the file)