



# ALL INDIA BANK PENSIONERS' & RETIREES' CONFEDERATION



**(A.I.B.P.A.R.C.)**

**C/O BANK OF INDIA OFFICERS' ASSOCIATION  
(EASTERN INDIA BRANCHES)**

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**Date: July 15, 2023.**

**(For circulation among members of the Governing Council, State Secretaries, Special Invitees, Advisors, Affiliates and Members.)**

**Dear Comrade,**

**Sub: Consolidation of writ proceedings in one High Court at the prayer of IBA in relation to non –computation of special allowance for the calculation of pension and gratuity.**

Members have already known by this time that Indian Banks Association submitted an application before the Supreme Court to consolidate all the writ proceedings in one High Court to avoid multiplicity of proceedings and conflicting judgements. It was further submitted that the first writ petition on the same issue was filed before the Delhi High Court. The Supreme Court permitted to implead all the writ petitioners in various High Courts so that they are put on notice about the transfer of all such petitions to Delhi High Court.

We convey our serious disappointment and dismay over the above noted development on the following grounds:

I. This order is for writ petitions pending at various High Courts and not for writ appeals. So the Kerala High Court may hear the appeal unless IBA submits a prayer to the said High Court not to hear the appeal until the consolidated writ petitions are heard in Delhi High Court. There is a strong possibility that IBA will prefer to submit such an application and the appeal is unlikely to be heard by the Kerala High Court.

II. The practice of consolidation in the above manner robs the petitioners to have access to justice. Possibility of conflicting judgements should not be a proper reason to consolidate the cases because the Supreme Court will also lose the opportunity of knowing the wisdom of the Hon'ble Judges of different High Courts. Even if conflicting judgement come from different High Courts, the Banks would have made appeals against the same to the Division Bench of High Court and finally to Supreme Court.

III. The Supreme Court could have allowed the writs to continue and could have ordered consolidation of appeals before the Delhi High Court. Though it is also not an ideal situation, it was still a better option than consolidation of petitions at the writ stage itself.

A large number of retirees have suffered adversely because of non computation of special allowance in calculation of pension & gratuity. Our organization attaches top most importance to the issue. Members are well aware of fact that in our current agitation process – both in the first phase and also in the proposed later phases, we have and we will be addressing memoranda to Union Finance Minister, the Secretary, Finance Department, GOI and the Chairman, IBA on various issues which include, inter alia, this issue of non-computation of special allowance for the purpose of calculation of superannuation benefits. We are also keeping strict watch over the developments which are taking place in the judicial process. The organization promises to fight for the cause.

With best wishes and regards,

Suprita Sarkar

General Secretary

