



ALL INDIA BANK RETIREES' FEDERATION (Regd.)

(Regn. No:G 6601 under the Trade Union Act 1926)

D-1/1, Sector-C, Scheme-71,

Near Kasara Bazar School, Indore – 452 009.

Chairman

Sri D.A.Masdekar

President

Sri S.M.Deshpande

Vice President

Sri J.B.Dave

Sri D.P.Gupta

Sri F.Martis

Sri Anindya Basu

Sri N.Mishra

Sri C.N.Prasad

Sri A.K.Mondal

Sri H.C.Gandhi

Sri K.Vishwanath Naik

Sri O.P.Varma

General Secretary

Sri S.C.Jain

Dy. Genl. Secretary

Sri Debesh Bhattacharyya

Sri S.V.Srinivasan

Sri Ashok Patil

Sri A.K.Bansal

Organising Secretary

Sri Sunil Srivatsav

Sri V.K.M.Varma

Sri C.Gopinathan Nair

Sri M.N.Pandit

Sri Pratap Shukla

Sri S.Velayoudam

Sri Kalyan Sen Gupta

Dr.G.S.Jog

Sri Kishore Gujarati

Sri K.K.Gupta

Sri Rajendra Prasad

Sri N.T.Hegde

Sri S.Radhakrishnan

Sri B.Venkat Rao

Sri Rajan Dhargalkar

Sri Suresh Sharma

Sri R.Shirambekar

Sri B.G.Raithatha

Sri Ranjit Bhattacharyya

Treasurer

Sri M.S.Chourey

Ref:2018/047

Date : 23.05.2018

**The Office Bearers/ Central Committee members/ State Body Chiefs
A.I.B.R.F**

Dear Comrades,

**Re: Demand for convening urgent central committee
Meeting to discuss Supreme Court Judgement**

We are getting mails/ what Sapp messages from some central committee members/ individuals demanding that urgent meeting of central committee should be convened to discuss adverse judgement pronounced by the Supreme Court on 16.05.2018.

2. We appreciate their anxiety in the matter expressing need to convene meeting of the central committee.

3. In this connection, we wish to draw your attention on our circular no. 2018/46 dated 20.05.2018 advising that Core Committee Meeting has been convened on 2nd & 3rd June, 2018 to discuss the adverse Judgement and take decision of urgent nature like need to file Review Petition which has time limit of 30 days. You will kindly appreciate that Central Committee meeting even if urgent cannot be convened within the period available for taking decision on Review Petition. However, as you are aware one of the item on agenda of core committee is to fix date and venue of the next central committee. You will kindly agree that convening central committee meeting need minimum 2/3 months' time to fix venue and give time to members for railway booking etc. We can assure that while taking decision on the dates we shall keep your views/ sentiments in consideration.

4. As you know the Supreme Court Judgement has several inconsistencies, contradictions and lack of appreciation of the facts brought out through written submissions and documents. But at the same time as per law of the country, it is hard fact that judgements delivered by highest of the country may not be legally perfect but definitely final. We have to accept this reality with pinch of salt. However, we are taking the following urgent steps within the limited scope available in the post judgement situation to protect the retirees interest.

(a) We are in touch with the Advocate on Record, Shri Arun Sinha to understand detailed procedure to file Review Petition like time limit, who can file the Review Petition, whether AIBRF who was not main party but only filed Intervention Application can file Review Petition, Procedure for filing Curative Petition if needed etc.

Regd. Office: 246, Ellis Bridge Shopping Centre, 2nd Floor, Opposite Town Hall, Ellis Bridge, Ahmedabad - 380006.

Mobile: + 91 89660 19488 E-Mail: sharbat_123@rediffmail.com Website: www.aibrf.com



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(b) We are analysing the judgement in detail and are listing the contradiction noticed by us. We are in touch with our Senior Council, Shri V.K.Bali to discuss the points of inconsistencies noticed by us and to take his expert opinion on whether filing of Review Petition will serve useful purpose for the retirees.

(c) We are in touch with other parties of the case representing retirees to consider coordinated legal action if needed for better results.

5. We wish to draw your attention on the above referred circular wherein we requested you send your specific views/ suggestion on the judgement which can be of help to the core committee in taking decision on the Review Petition. We have yet to receive any specific suggestion from any Office Bearers/ Central Committee Members on the judgement except airing general views and need to call for urgent central committee meeting. But at the same time we are happy to note that Andhra Pradesh State Committee has held 2/3 brain storming sessions on the judgement with analysis of each Para and have drawn our attention on very vital inconsistencies noticed by them and are also in the process of sending detailed report for the use of core committee which can be of great help in taking the correct and effective decision. We really appreciate their efforts. We feel this is correct and constructive approach in handling such adverse situation rather than demanding urgent central committee meeting based on general perception possibly to fix accountability as early as possible for the failure. We do agree that examining of accountability is also important aspect but can wait for some time till urgent matters are disposed off.

6. Here We would like to draw your kind attention on the following facts on this legal action to understand appreciate the matter in totality.

(a) AIBRF in Supreme Court filed only Intervention application in the month of April 2017 as per the decision taken in Office Bearers Meeting held at Indore in April 2017 in view of the interest of large number of members involved and organisational efforts were not yielding the desired results.

(b) Before, April, 2017 legal battle was being handled by our comrades from Chennai and Kolkata with outside support from AIBRF.

(c) Before AIBRF filing Intervention Application in April, 2017 6 SLPs of retirees from Chennai against the judgement of Madras High Court had already been dismissed in February, 2017 putting virtual end of the legal battle on this issue.

(d) However, Favourable Judgement of Kolkata High Court in September, 2017 and AIBRF decision to file Intervention Application and our efforts resulted in to recalling dismissed SLPs of Chennai retirees created new hopes among all of us and logically correct so.

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(e) Main Respondent in Kolkata case was United Bank Retired Employees Association who filed written submission duly prepared and vetted by the lawyer of this organisation. AIBRF only filed the IA to draw attention of the bench on additional facts through documents which were not on the record.

(g) It may mentioned that Review Petitions are examined and processed in Judges Camber by the same bench without oral arguments by the advocates. Rejection ratio of Review Petition is more than 99 per cent. Therefore one should not keep high hope from this exercise.

Though atmosphere for legal battle is not favourable and conducive for us we shall continue our organisational efforts for achieving our demands with renewed coordination with all concerned.

With Warm Greetings,

Yours Sincerely,

(S.C.JAIN)
GENERAL SECRETARY

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