



न्यायालय मुख्य आयुक्त दिव्यांगजन

COURT OF THE CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)

दिव्यांगजन सशक्तिकरण विभाग/Department of Empowerment of Persons with Disabilities (Divyangjan)

सामाजिक न्याय और अधिकारिता मंत्रालय/Ministry of Social Justice & Empowerment

भारत सरकार/Government of India

5वाँ तल, एन.आई.एस.डी. भवन, जी-2, सेक्टर-10, द्वारका, नई दिल्ली-110075; दूरभाष : (011) 20892364

5th Floor, N.I.S.D. Bhawan, G-2, Sector-10, Dwarka, New Delhi-110075; Tel.: (011) 20892364

Email: ccpd@nic.in; Website: www.ccdisabilities.nic.in

Case No. 13619/1022/2022

In the matter of:

Shri Roopesh Kumar Tembhare

...Complainant

Versus

**The Chairman and Managing Director
Central Bank of India**

...Respondent

1. Gist of the Complaint

1.1 Shri Roopesh Kumar Tembhare, a person with benchmark disability filed a complaint dated 02.12.2022 and stated that he was working as Asst. Manager/Rajbhasha in Central Bank of India. The complaint concerned his request for transfer/posting to his native place/nearby place, namely Chhindwada/Hoshangabad, Madhya Pradesh.

1.2 The grievance of the Complainant, in substance, was that having regard to his disability and personal hardship, he ought to be considered for posting/transfer nearer to his native place.

2. Issue of Notice

2.1 The matter was taken cognizance of by this Court and notice dated 04.01.2023 was issued to the Respondent under Sections 75 and 77 of the Rights of Persons with Disabilities Act, 2016, calling for comments and relevant records in the matter. The notice also referred to the statutory framework concerning non-discrimination in employment and the policy framework relating to posting/transfer of employees with disabilities.

3. Gist of the Reply

3.1 In its reply, the Respondent submitted, inter alia, that the Complainant had joined the Bank as Rajbhasha Adhikari (Specialist Officer) on 30.05.2022.

3.2 It was further submitted that postings of newly recruited specialist

officers are made in accordance with vacancies in the concerned specialist stream and as per administrative requirements of the Bank.

3.3 The Respondent also stated that the terms of appointment made the Complainant liable to be transferred anywhere in the country in accordance with transfer norms and administrative exigencies. It was submitted that, since there was a vacancy of Rajbhasha Adhikari at Guntur Regional Office, the Complainant was posted there in accordance with the Bank's requirement.

3.4 The Respondent also referred to its Equal Opportunity Policy and other internal service requirements.

4. Gist of the Rejoinder

4.1 The Complainant filed rejoinder reiterating the averments made in the complaint and sought sympathetic consideration of his request for transfer/posting nearer to his native place.

4.2 The Complainant also questioned the justification offered by the Respondent and maintained that his case warranted intervention in light of the rights and protections available to employees with disabilities.

5. Proceedings

5.1 In response to a communication from this Court seeking update on the matter from the parties, it submitted by the Respondent vide their letter dated 17.05.2025 that the Complainant had resigned from the Bank in the year 2023. Although the exact date of resignation is not borne out from the material presently placed on record, the said subsequent development renders the original relief sought in the complaint, namely transfer/posting nearer to the native place, infructuous and no longer surviving for adjudication. No response was received from the Complainant.

6. Observations

6.1 The issue raised in the present complaint pertains to transfer/posting during the subsistence of service. Once the Complainant has resigned from service, the prayer for transfer loses its practical and legal substratum. In these circumstances, no further examination on merits is called for, as the grievance regarding transfer has become infructuous.

6.2 Accordingly, the case is disposed of in these terms with the approval of the Chief Commissioner for Persons with Disabilities.

(Praveen Prakash Ambashta)

Dy Chief Commissioner for Persons with Disabilities