

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.16376 of 2013

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1. Anil Kumar Pandey, S/o Late Ramesh Chand Pandey Resident of 3/15, Maa Sankatha Nagar Colony, Pandey Pur, Chotalalpur, Varanasi, At Present Working as Senior Stock Verifier, East Central Railway, Mugal Sarai Division, Mugal Sarai.
 2. Anil Nath Tiwari, S/o Late Ganesh Nath Tiwari Resident of S.K. Nagar, Motihari, East Champaran, At Present Working as Senior Stock Verifier, East Central Railway, WAO, Samastipur.
 3. Ramjee Roy, S/o Late Lalan Kumar Roy Resident of New Mainpura, Saguna, Danapur Cantt, At Present Working as Stock Verifier, East Danapur Cantt, Patna, At Present Working As Stock Verifier, East Central Railway, Danapur Division, Danapur, Patna.
 4. D.K. Satyarathi @ Dhananjay Kumar Satyarathi S/o Sri Ram Kishor Prasad Sinha Resident of Jakanpur, Patna, at Present Working As Stock Verifier, East Central Railway.
 5. Binod Kumar Sinha S/o Shyam Chandra Prasad Resident of 1367/B, Manas Nagar, Mughalsarai, At Present Working As Stock Verifier East Central Railway
 6. Taukir Ikbāl S/o Late Maksud Ahmad Khan Resident of Village + Post- Majoulia, District- Betia, West Champaran, At Present Working as Stock Verifier East Central Railway.

.... Petitioner/s

Versus

1. The Union of India Through Ministry of Railway, Rail Bhawan, New Delhi- 110001.
2. The Chairman, Rail Bhawan, New Delhi- 110001.
3. The Divisional Manager, East Central Railway, Hazipur
4. The Divisional Manager, Finance, East Central Railway, Hazipur.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Madhav Roy, Mr. Rabindra Nath Tiwary
For the Respondent/s	:	Mr. Bijoy Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH
and

HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH)

Date: 01-05-2015



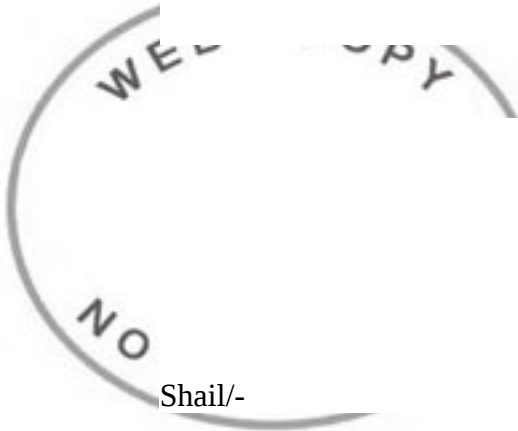
The writ petitioners were Senior Stock Verifiers/Junior Stock Verifiers in various Zonal Offices of the Railways. They are aggrieved by the order issued at Zonal levels whereby it has now been provided that where the stock that is to be auctioned or sold is above Rs. 15 Lakhs, in stead of them, it would preferably be verified by Inspector of Store Accounts.

Learned counsel submits that these directions of the Zonal Officers are in conflict with the Indian Railway Code and in particular paragraph- 3209.

In our opinion, it would have been appropriate for the petitioners first to bring this conflict, if any, to the notice of the Railway Board or necessary correction either in the Indian Railway Code or the orders being issued by the Railways at Zonal Level. This is so because these are matters of administration and sharing of responsibility, which again has more administrative than legal consideration.

We, accordingly, grant leave to the petitioners to first approach the Railway Board with their grievance, which would be considered by the Railway Board and an appropriate decision be taken expeditiously not later than three months and communicated to the petitioners in this regard. The petitioners would have remedy, as may be advised.

With the above observation, this writ application stands disposed of.



(Navaniti Prasad Singh, J.)

(Rajendra Kumar Mishra, J.)

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