

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.23805 of 2013

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1. Madan Prasad, Son of Late Ram Prasad Rai, Resident of Village - Chakgosa
Rajauli, P.O. - Rajauli, District - Vaishali

2. Daya Nand, Son of Sri Sakaldip Rai, Resident of Village - Shubhai Marijabad,
P.O. Shubahi, District - Vaishali

.... Petitioners

Versus

1. Sri K.K. Srivastava , General Manager, E.C. Railway, Hajipur, District - Vaishali

2. Sri Rajendra Kumar Agrawal, The Divisional Railway Manager, E.C. Railway,
Sonpur District - Saran

3. Sri Mahendra Kumar Gupta, Senior Divisional Personnel Officer, E.C. Railway,
Sonpur , District - Saran

.... Respondents

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Appearance :

For the Petitioners : Mr. Alok Kumar Sinha, Senior Advocate.
Mr. Bhola Kumar, Advocate.
Mr. Ashish Sinha, Advocate.

For the Respondents : Mr.

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CORAM: HONOURABLE MR. JUSTICE V.N. SINHA

and

HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE V.N. SINHA)

Date: 27-10-2015

Heard learned counsel for the
petitioners.

2. By filing this writ petition petitioners
are assailing order dated 08.08.2013 passed by
Central Administrative Tribunal, Patna Bench in
C.C.P.A. 17 of 2011, arising out of O.A. No. 412 of
2003 (Annexure-11), whereunder said C.C.P.A.
(Contempt Petition) has been dismissed by an oral
order.



3. It appears earlier Tribunal under order dated 07.02.2013 passed in the same C.C.P.A. has directed the respondents to comply the order dated 09.09.2005 passed in O.A. No. 412 of 2003 (Annexure-3) and adjourned the proceedings to 09.05.2013. Respondent authorities did not pass appropriate order in compliance of the said order by 09.05.2013 and the proceedings had to be adjourned, ultimately speaking order as desired by the Tribunal has been passed by the authorities on 10.07.2013, which is contained in Annexure-10 to this application.

4. It is submitted on behalf of the petitioners that order dated 10.07.2013 is not in compliance of the order dated 09.09.2005 as under order dated 10.07.2013 report of Sri B.K. Jha dated 28.12.2005 (Annexure-8) has not been considered.

5. Tribunal having directed the authorities to pass reasoned order which has been passed under order dated 10.07.2013, in the circumstances, said order is required to be

challenged if the petitioners are not satisfied with its contents and with such liberty the present writ petition is disposed of. Let the petitioners challenge the order dated 10.07.2013 within a reasonable time not exceeding one month from the date of receipt of a copy of this order and if the same is challenged within the time stipulated herein, the Tribunal is requested to dispose of the matter after hearing the parties within a reasonable time not exceeding three months.

(V.N. Sinha, J)

(Aditya Kumar Trivedi, J)

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