

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2249 of 2014

In

Civil Writ Jurisdiction Case No. 8945 of 2014

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Upendra Kumar Singh son of late Suresh Prasad Singh, R/o Lal Makan
Mainpura, P.S. Patliputra, District Patna, A/p posted as
SSE/Works/Rourkela

.... Petitioner

Versus

1. The Union of India through the G.M., Southern Eastern Rly, GRC.
Kolkata - 43, West Bengal.
2. Radhe Shyam, The General Manager, Southern Eastern Railway, GRC.
Kolkata - 43, West Bengal.
3. Sri B.N. Soren, Sr. Divisional Personal Officer, S.E. Railway, CKP,
Division, Distt. Singhbhoom, Jharkhand.
4. Sri Raghvendra Sarswat, Sr. Divisional Engineer (Cord), CKP, S.E.
Railway, CKP, Division, Distt. Singhbhoom, Jharkhand.
5. Sri Indiresk Kumar, Divisional Engineer (West), CKP, S.E. Railway,
CKP, Division, Distt. Singhbhoom, Jharkhand.
6. Sri Kalicharan Sao, Assistant Divisional Engineer, S.E. Rly, Raurkela,
Qr. No. D/1 Spl., Rly. Colony, Near Bara Park, District Sundargarh, Orissa.
7. Sri Rajiv Agrawal, D.R.M./CKP Distt. Singhbhoom, Jharkhand.
8. Sri Navin Talbar, A.D.R.M./CKP Distt. Singhbhoom, Jharkhand.

.... Opposite Parties.

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Appearance :

For the Petitioner : Mr. Rewati Kant Raman, Advocate.

For the Opposite Parties : Mr. D.K. Sinha, Sr. Advocate
Mr. Anil Singh, Advocate.

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CORAM: HONOURABLE MR. JUSTICE V.N. SINHA

and

**HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

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

and the Opposite Parties.

2. By filing this contempt petition it is asserted by the petitioner that interim orders of this Court dated 16.05.2014 passed in C.W.J.C. No. 8945 of 2014 is not being complied with by the authorities, whereunder impugned order of transfer of the petitioner dated 15.01.2014 and the order affirming the said transfer order passed by the Tribunal dated 21.04.2014 in O.A. No 51/00033/2014 has been stayed, yet the authorities of the Union of India and the Railway Administration are not permitting the petitioner to join the transferred post.

3. By filing show-cause Railway Administration has submitted that the contempt petitioner has already been allowed to join the Establishment on the transferred post and he is serving on the post in the light of the interim order passed by this Court.

4. Counsel for the petitioner, however, refutes the aforesaid submission and submits that true it is that petitioner has been allowed to join the post in the light of the interim order of this Court but his leave application is being rejected and he is not being permitted to go on leave without handing over charge.

5. Rejection of the leave application is a fresh cause of action for which petitioner would be well



advised to take appropriate steps in accordance with law either before the Tribunal or in the connected writ petition.

6. Contempt application is, accordingly, disposed of.

(V.N. Sinha, J)

(Rajendra Kumar Mishra, J)

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