

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

REVP No. 74 of 2010

1. Union Of India, through Secretary Ministry of Railway, New Delhi
2. Divisional Railway Manager S.E.C. Railway, Bilaspur
3. Divisional Personnel Officer S.E.C. Railway, Bilaspur

---- **Petitioner**

Versus

- Sameer Pandey, S/o Shri Rajkumar Pandey, aged about 37 years, R/o House of Shri K.L. Mishra, Ganjpara, Durg (CG) (WP No.4509/05)

---- **Respondent**

For Petitioners : Shri Abhishek Sinha, Advocate.
For Respondent : Shri HB Agrawal, Sr. Advocate with Smt. Preeti Yadav, Advocate.

Hon'ble The Chief Justice
Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

27/11/2015

1. The present Review Application arises from order dated 31.3.2010 allowing Writ Petition No.4509/2005 granting pay protection pursuant to transfer in terms of para-604 of the Indian Railway Establishment Manual Vol.I (1989 Edn).
2. The only ground urged in support of the Review Application was with reference to para-11 of the earlier order to submit that circular dated

20.8.1999 provided that in cases of request transfer resulting in a lower post pay protection would be available provided the employee before transfer had worked for a minimum of 24 months regularly on the higher post.

3. According to us, this is a pure question of fact. No such statement or assertion was made by the Petitioner in its counter affidavit before the Division Bench.
4. We therefore find no reason to entertain the Review Application.
5. The Application is dismissed.

Sd/-
(Navin Sinha)
CHIEF JUSTICE

Sd/-
(Prashant Kumar Mishra)
J U D G E

Barve