

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WRIT PETITION (S) NO. 1156 OF 2015

- Bhanu Banerjee, aged about 56 years, S/o Late Shri R.L. Banerjee, C/o Minu Banerjee, High Court Advocate, Jorapara, P.O. SECL, Sarkanda, Bilaspur (C.G.), working as Helper-I, Coaching Complex under Section Engineer, Coaching Complex, Bilaspur (C.G.) 495001

... Petitioner

Versus

1. Union of India, through Secretary, Ministry of Railways, Rail Bhawan, Rafi Marg, New Delhi - 110001
2. Divisional Railway Manager, South East Central Railway, Bilaspur (C.G.) 495001.
3. Senior Divisional Mechanical Engineer, South East Central Railway, Bilaspur (C.G.)
4. Divisional Mechanical Engineer, South East Central Railway, Bilaspur (C.G.)
5. The Coaching Depot Officer, South East Central Railway, Bilaspur (C.G.)

... Respondents

For Petitioner	:	Mr. Anup Majumdar, Advocate.
For Respondents 2 to 5	:	Mr. R.S. Patel, Advocate.

Hon'ble Shri Navin Sinha, Chief Justice
Hon'ble Shri Justice P. Sam Koshy

Order on Board

Per NAVIN SINHA, C.J.

30/09/2015

1. The present writ application assails orders dated 20.11.2014 dismissing O.A. No. 186 of 2013 passed by Central Administrative Tribunal, Jabalpur, Bench circuit sitting at Bilaspur, declining to interfere with the order of punishment for withholding one increment for a period of one year with non-cumulative effect for violation of the Railway Servants (Conduct) Rules, 1966.

2. The Tribunal returned the finding that the manner and conduct of the Petitioner in ventilating his grievance was in violation of the Railway Servants (Conduct) Rules, 1966.

3. Considering the nature of minor punishment imposed, when the Petitioner does not dispute having written the communication in question, we do not consider the present a fit case for exercise of discretionary jurisdiction under Article 226 of the Constitution.

4. The writ petition is dismissed.

Sd/-
(Navin Sinha)
Chief Justice

Sd/-
(P. Sam Koshy)
Judge