

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6222 of 2016

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1. The Union of India, through the General Manager, East Central Railway, Hajipur
 2. The General Manager, Personnel, East Central Railway, Hajipur
 3. The Divisional Railway Manager, Danapur Division, Danapur
 4. The Senior Divisional Personnel Officer, Danapur Division, Danapur
 5. The Railway Board, through its Chairman, Rail Bhawan, New Delhi
 6. The Secretary, Railway Board, Rail Bhawan, New Delhi
 7. The Senior Divisional Finance Manager, Danapur
 8. The Senior Division Operating Manager, Danapur

.... Petitioners/Respondent in O.A.

Versus

Ram Prakash Sharma S/o Late Prashuram Sharma, resident of village - Biram Parsa, P.O. Sirisia, P.S. Gautam Sthan, District Saran (Chapra) at present residing at Flat No. A-304, Shyamsundar Complex, Opposite Jagdeo Path Morh, P.O. Vetrnary College, P.S. Shastri Nagar, District - Patna

.... Respondent/petitioner in O.A.

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Appearance :

For the Petitioner/s	:	Mr. Anil Kumar Sinha, Advocate Mr. Abhimanyu Deo, Advocate
For the Respondent/s	:	Mr. Shailendra Kumar, Advocate Mr. Kamlesh Pd.Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA

and

HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)

Date: 28-07-2016

Heard learned counsel for the parties.

2. The challenge in the present writ application is to an order dated 15.04.2014 passed by the Central Administrative Tribunal, Patna Bench, Patna in O.A. No. 050/00289 of 2014, directing the petitioners to take a decision in the light of the order dated 24.09.2012 passed by the Central Administrative Tribunal, Allahabad Bench in O.A. No. 1241 of 2011, if the case is found

similar to that case and subject to the decision of any superior Court if the said order of the Allahabad Bench is under challenge.

3. We find that the present writ application is misconceived. There is no decision of the Tribunal on merit. The direction is to decide the representation in the light of an order passed by the Allahabad Bench of the Tribunal and that too if the claim of the applicant before the Tribunal is found similar. The protection has been given if the order of the Allahabad Bench of the Tribunal is subject matter of proceeding before the superior Court.

4. Since the direction is to decide the representation, we do not find any case is made out for invoking the jurisdiction of this Court.

5. The writ application is dismissed.

(Hemant Gupta, J)

(Ahsanuddin Amanullah, J)

Narendra/-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	05.08.2016
Transmission Date	