

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4539 of 2015

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1. The Union of India through the Secretary, Government of India, Ministry of Communication, Department of Posts, Sanchar Bhawan, New Delhi
 2. The Director General, Department of Posts, Government of India, Dak Bhawan, New Delhi
 3. The Chief Postmaster General, Bihar Circle, Patna
 4. The Assistant Director, Recruitment, Office of the Chief Post Master General, Bihar Circle, Patna

.... Petitioner/s

Versus

Santosh Kumar Srivastava son of Sri R.C.P. Srivastava, LSG (A.P.M.), Siwan
H.O., Siwan, Bihar

.... Respondent/s

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Appearance :

For the Petitioner/s :

For the Union of India :

Mr. Sanjay Kumar, Asst. S.G.

Mr. Anjani Kumar Sharan, C.G.C.

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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: 10-05-2016

The challenge in the present writ petition is to an order dated 28th March, 2012 passed by the Central Administrative Tribunal, Patna Bench, Patna (hereinafter referred to as the “Tribunal”) in O.A. No. 82 of 2008, whereby an Original Application filed by the applicants, respondents herein, was allowed holding them eligible for promotion to Postal Services Group-B.

Learned counsel for the petitioners submits that the applicants were subjected to an examination in terms of an order passed by Tribunal but none of them have qualified the examination.

Keeping in view the fact that none of the applicants have qualified the examination, even as per the directions of the Tribunal, therefore we do not wish to examine the question raised in the present writ petition. But it shall be open to the petitioners to raise the plea as raised in the present writ petition in any subsequent proceedings before the Tribunal. The order of the Tribunal shall not be a bar to them to raise such plea. As and when such questions arises, the Tribunal shall decide the same in accordance with law.

The writ petition stands dismissed.

(Hemant Gupta, J)

(Ahsanuddin Amanullah, J)

P. Kumar/Sujit
N.A.F.R.

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