

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.25106 of 2013

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1. The General Manager, E.C. Railway, Hazipur, Vaishali
 2. The Senior DEN (Co-Ordination), E.C. Railway, Sonpur
 3. The A.D.E.N., E.C. Railway, Thana Bihpur, Bhagalpur

.... Petitioners

Versus

Amrit, Son of Late Sarjoo retired G.P. Khalasi under ADEN, E.C. Railway, Thana Bihpur, Resident of Village + Post- Thana Bihpur, District- Bhagalpur

.... Respondent

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Appearance :

For the Petitioners : Mr. Sunil Kumar Ravi, Advocate

For the Respondent : Mr. Satish Chandra Mishra, Advocate

Mr. Sudama Pandey, Advocate

Mr. Uma Kant Mishra, Advocate

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CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH

And

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH)

Date: 16-02-2016

This writ petition is by the Railways being aggrieved by the order passed in the contempt proceedings as initiated by the Central Administrative Tribunal, Patna Bench, Patna for non-implementation of its judgment and order dated 17.09.2009, passed in O.A. No. 153 of 2008.

Today we have already dismissed the writ petition as against the said order of the Tribunal and upheld the order of the Tribunal. That being so, we are not inclined to entertain this writ petition against the contempt proceedings as Railways are bound to comply with the orders of the Tribunal unless it is avoided by any

lawful means. They cannot refuse to implement orders of the Tribunal and then seek remedies. Once the contempt proceedings are drawn up Railways being a Government undertaking and part of Government, should do what is fair and just and should not drive its poor retired employees to litigation. We therefore, dismiss this writ petition.

(Navaniti Prasad Singh, J.)

(Nilu Agrawal, J.)

Arjun/Rajesh

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