

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.19993 of 2013

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1. Suryanarayan Sharma Son of Sarvanand Sharma (A Ward No. 2) (2002-2003). Resident Of Village Jalalpur, P.S. Rupaspur, District Patna
  2. Arti Devi Wife of Naval Kishore Prasad (A Ward No. 18) (2005-2006). Resident Of Village Jalalpur, P.S. Rupaspur, District Patna
  3. Shyamdev Prasad Son Of Late Ramchandra Prasad (A Ward No. 18) (2005-06). Resident of Village Jalalpur, P.S. Rupaspur, District Patna
  4. Shakti Kumar Son of Ramsavarat Singh (A Ward No. 2) (2002-2003). Resident of Village Jalalpur, P.S. Rupaspur, District Patna
  5. Mahanand Singh Son Of Late Brahmadev Singh (A Ward No. 18) (2005-2006). Resident Of Village Jalalpur, P.S. Rupaspur, District Patna
  6. Manauri Sao Son Of Late Modi Sauv (A Ward No. 24 2006-2007) Resident Of Village Jalalpur, P.S. Rupaspur, District Patna
  7. Malti Devi Wife Of Anish Chaudhary (AWard No. 18- 2005-2006) Resident Of Village Jalalpur, P.S. Rupaspur, District Patna
  8. Manaudi Rai Son Of Late Mukhlal Rai (A Ward No. 2- 2002-2003) Resident Of Village Jalalpur, P.S. Rupaspur, District Patna
  9. Devrani Devi Wife Of Ramji Singh (A Ward No. 18- 2005-2006). Resident Of Village Jalalpur, P.S. Rupaspur, District Patna
  10. Binda Devi Wife Of Late Bharat Ram (A Ward No. 18- 2005-2006) Resident Of Village Jalalpur, P.S. Rupaspur, District Patna
  11. Gangajal Devi Wife Of Late Jagdeo Choudhari (A Ward No. 2- 2002-2003) Resident Of Village Jalalpur, P.S. Rupaspur, District Patna
  12. Nindiya Devi Wife Of Suresh Rai (AWard No. 2- 2002-2003). Resident Of Village Jalalpur, P.S. Rupaspur, District Patna

.... .... Petitioner/s

Versus

1. The Union of India through Secretary, Department Of Railway, Railway Bhawan, New Delhi
2. Secretary, Department Of Railway of Railway, Rail Bhawan, New Delhi
3. The Chief Engineer (Construction) Eastern Railway, Danapur Division, Danapur
4. Dy. Chief Engineer, (Construction), Eastern Railway, Danapur Division, Danapur
5. The Chief Manager, E.M. Railway, Hazipur (Bihar)
6. District Magistrate, Patna
7. District Magistrate, Saran
8. A.D.M. Saran (Land Acquisition)
9. A.D.M. Saran (Land Acquisition)
10. District Land Acquisition Officer, Patna
11. District Land Acquisition Officer, Saran
12. S.D.O. Patna Sadar
13. C.O. Phulwarisharif, District Patna
14. C.O. Sonapur, District Saran
15. Personal Officer, Eastern Railway Calcutta
16. Divisional Personal Officer, ECR

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. RATHORE VASUNDHARA  
Mr. B.S. Pandey  
For the Respondent/s : Mr. D. K.Sinha, Sr. Advocate  
Mr. Anil Singh  
Mr. Satyendra Kumar AOR No.2896

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**CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL**  
**ORAL JUDGMENT**

**Date: 27-06-2016**

Heard the learned counsel for the petitioners and Mr. D. K. Sinha for the Railway.

It is agreed between the parties that the writ petition be disposed of at this stage itself.

Precisely, the grievance of the petitioners is that they are land losers owing to acquisition of their lands by the railways for construction of Digha Rail Bridge. They seek employment with the respondent-Railway. The resolution of the railways which would entitle the petitioners to such claim has, however, not been enclosed.

It appears, on going through the pleadings on record that the claim of the petitioners has not been considered by the respondents in the light of the resolution, if any, entitling such land losers to get employment in the railways subject to fulfillment of the conditions. At this stage, this Court would further notice the submission of Mr. D. K. Sinha that there is, in fact, none. An objection to the maintainability of the application has also been raised by Mr. D. K. Sinha stating that the matter like this ought to have been first raised before the Central Administrative Tribunal as the claim pertains to employment in the railways.

Be that as it may, considering the facts and circumstances of the case, I am persuaded to dispose of the application permitting the petitioners to file individual application(s) before the Divisional Personal Officer, ECR who is

permitted to be impleaded as respondent no.16 The said respondent shall consider/examine the claims of the petitioner and take appropriate decision and/or pass appropriate order in accordance with law. Let it be noted that this Court has not recorded any opinion on the merit of the claim(s) of the petitioners.

The writ application stands disposed of.

**(Kishore Kumar Mandal, J)**

HR/-

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