

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6060 of 2014

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1. Md. Rauf Ahmad Son Of Late Ali Hussain Resident Of Village - Madhul, P.O.
And P.S. Mahua, District - Vaishali At Present Railway Colony, Karbigahiya

.... Petitioner/s

Versus

1. The Union Of India Through The General Manager, Eastern Railway, Howrah,
Kolkata
2. General Manager, East Central Railway, Hajipur, Bihar
3. The Chief Commercial Manager, E.C. Railway, Danapur, Bihar
4. Sr. Divisional Personal Officer, E.C. Railway, Danapur, Bihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ujjwal Kumar Sinha

For the Respondent/s : Mr. Mahesh Prasad

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CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA

and

HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)

Date: 29-02-2016

The challenge in the present writ petition is to an order passed by Central Administrative Tribunal, Patna Bench, Patna on 16th May, 2013, whereby an Original Application filed by the petitioner, claiming regularization with effect from 31st August 1993, remained unsuccessful.

2. The learned Tribunal has declined the claim of the petitioner for the reason that the claim is hopelessly barred by limitation. It is found that the service of the petitioner was regularized in the year 2004 but he invoked the jurisdiction of the Tribunal in 2013. The claim of the petitioner is that he was found medically fit in 1993 and therefore he should be regularized from the date he was found medically fit.

3 The fact is that the regularization was made in the year 2004. The cause, if any, for regularization arose on that date, but he slept over his right for

a long period of almost 9 years. Therefore, the Tribunal has rightly granted no indulgence to the petitioner. We do not find any error in the order of the learned Tribunal.

4.The writ petition is, accordingly, dismissed.

(Hemant Gupta, J)

B.K.Roy/-

(Navaniti Prasad Singh, J)

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