

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4435 of 2015

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1. The Union of India through its 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 Divisional Operating Manager, Danapur

.... Petitioners

Versus

Prem Sagar Prasad, Son of late R.K. Prasad, resident of Railway Quarter No. 399/B, Medical Colony, P.O. & P.S.- Khagaul, District- Patna

.... Respondent

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Appearance :

For the Petitioners : Mr. D.K. Sinha, Sr. Advocate
Mr. Satyeshwar Prasad, Advocate
For the Respondent : Mr.

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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: 31-03-2016

Heard Sri D.K. Sinha, learned Senior Counsel for
the writ petitioners-Railways.

This writ petition has been filed being aggrieved
by the order of the Central Administrative Tribunal, Patna Bench,
Patna dated 25.03.2014, passed in O.A. No. 050/00241/2014. Having
gone through the order impugned, we are not inclined to interfere in
the matter, inasmuch as, the Tribunal has not decided anything. The
Tribunal has given liberty to the applicant before, it to make a

representation before the Railways, which representation would be considered in terms of the order of the Allahabad Bench of the Central Administrative Tribunal and the authorities would take a decision in the matter appropriate to the facts of the case. The matter being thus remanded for fresh consideration, we do not think it appropriate for us to interfere in the matter as there was no decision taken by the Tribunal. We are of the view that it is for the Department now to take a decision in the matter upon the representation as directed by the Tribunal. As the matter was decided by the Tribunal sometime back and the representation has not yet been decided, we are informed at the Bar that a contempt proceeding has been sought to be initiated. If the authorities take a decision in the matter within four months from today, the Tribunal will not proceed with the contempt proceeding as filed before it.

With these observations, the writ petition stands disposed of.

(Navaniti Prasad Singh, J.)

(Nilu Agrawal, J.)

Arjun/Rajesh

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