

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No 5393 of 2013**

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Gaurikant Prasad S/O Late Harinandan Prasad Resident Of Village/ Mohalla-  
Chandbara, P.S- Town, District- Muzaffarpur.

.... .... Petitioner/s

Versus

1. The Union Of India Through The Secretary, Railway Board, Rail Bhawan, New Delhi.
2. The General Manager, East Central Railway At Hazipur.
3. The Divisional Railway Manager, East Central Railway At Sonepur.
4. The Divisional Personnel Manager, East Central Railway At Sonepur.
5. The Divisional Accounts Officer, East Central Railway At Sonepur.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr Rabindra Nath Tiwari, Advocate

For the Respondent/s : M/s Anil Kr Sinha & Abhimanyu Deo, Advocates

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**CORAM: HON'BLE MR JUSTICE NAVANITI PRASAD SINGH**

**And**

**HON'BLE JUSTICE SMT NILU AGRAWAL**

**ORAL JUDGMENT**

**(Per: HONOURABLE MR JUSTICE NAVANITI PRASAD SINGH)**

**Date: 28-06-2016**

Heard learned counsel for the appellant who has entered  
fresh appearance.

**2** Having perused the record, we find that the petitioner  
has filed this writ petition challenging the order of the Central  
Administrative Tribunal, Patna Bench, Patna by which it has found  
that there is no cause to restore the original application which itself is  
barred.

**3** The petitioner was a railway employee. He

superannuated in 1994 and at that time, there was a criminal proceeding pending against him as instituted by the Central Bureau of Investigation. He was acquitted in the trial in the year, 2001. Notwithstanding the aforesaid, he chose to move the Tribunal for his in-service dues from 1974 onwards to his promotional claims in the year 2010. The said Original Application was also then dismissed for non-prosecution. The restoration was filed two years after the dismissal with hardly any explanation for the delay.

**4** In view of the aforesaid, we are not inclined to interfere. This application is dismissed.

**(Navaniti Prasad Singh, J)**

**M.E.H./-**

**(Nilu Agrawal, J)**

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