

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11394 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, Rai Bhawan, New Delhi.
 7. The Senior Divisional Finance Manager, Danapur.
 8. The Senior Divisional Operating Manager, Danapur.

.... Petitioner/s

Versus

Kumar Rakesh. Son of Late Jagat Singh, resident of South Chandmari Road, Bhut Nath Road No. 3, Kankarbagh, P.O. & P.S. - Patna, District - Patna - 800020.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Amaresh Kumar Singh
For the Respondent/s : Mr. Shailendra Kumar, Mr. Kamlesh Prasad Singh,
Mr. Umesh Pathak

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CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA

and

HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)

Date: 11-05-2016

The challenge in the present writ petition is to an order dated 21.02.2014 passed by the Central Administrative Tribunal, Patna Bench, Patna, in O.A.No. 050/00164 of 2014, directing the petitioners to take a decision in the light of the order dated 24.09.2012 passed by the Central Administrative Tribunal, Allahabad Bench in O.A.No. 1241 of 2011, if the case is found similar to that case and subject to the decision of any superior Court if the said order of the Allahabad Bench is under challenge.

We find that the present writ petition is misconceived.

There is no decision of the Tribunal on merit. The direction is to decide the representation in the light of an order passed by the Allahabad Bench of the Tribunal and that too if the claim of the applicant before the Tribunal is found similar. The protection has been given if the order of the Allahabad Bench of the Tribunal is subject matter of proceeding before the superior Court.

Since the direction is to decide the representation, we do not find any case is made out for invoking the jurisdiction of this Court.

The writ petition is dismissed.

(Hemant Gupta, J)

(Ahsanuddin Amanullah, J)

mrl.

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