

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.10610 of 2016

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1. Union of India through the General Manager, East Central Railway, Hajipur, District : Vaishali (Bihar).
 2. The General Manager (Personnel), East Central Railway, Hajipur, District : Vaishali (Bihar).
 3. The Divisional Railway Manager, East Central Railway, Sonapur, PO Sonapur, District : Saran (Bihar).
 4. The Senior Divisional Operating Manager, East Central Railway, Sonapur, PO Sonapur, District : Saran (Bihar).
 5. The Senior Divisional Personnel Manager, East Central Railway, Sonapur, PO Sonapur, District : Saran (Bihar).
 6. The Assistant Operating Manager, East Central Railway, Sonapur, PO Sonapur, District: Saran (Bihar).
 7. The Station Superintendent, East Central Railway, Narayanpur Anant (Bihar).

.... Petitioner/s

Versus

Chandra Shekhar Thakur, S/o Mahadeo Thakur, working as Substitute (Group -D), under Station Superintendent, East Central Railway, Narayanpur Anant, Bihar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Siddhartha Prasad, Advocate.

For the Respondent/s : Mr. S.D. Sanjay, Sr. Advocate.

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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: 24-08-2016

Heard learned counsel for the parties.



2. The order dated 20th of February, 2015 passed by the Central Administrative Tribunal, Patna Bench, Patna (for short “the Tribunal”) in O.A. No. 505 of 2013 as well as order of review dated 3rd of September, 2015 passed in M.A. No. 050/00281 of 2015 is subject matter of challenge in the present writ application whereby, the Revisional Authority was directed to decide the Revision expeditiously and in the event the same is not decided, the order of the Disciplinary Authority was held to be good and binding.

3. The respondent (hereinafter referred to as “the applicant”) was charge-sheeted for misconduct. The Inquiry Officer was appointed who furnished a report exonerating the applicant. The said report was accepted by the Disciplinary Authority. However, the Revisional Authority issued notice as to why the order be not set aside. But in the meantime, an Original Application was filed in which the Tribunal has passed the order, now impugned in the writ application.

4. We find that the directions to decide the Revision expeditiously cannot be said to be unjustified as it is in the interest of administration that the departmental proceedings are concluded at the earliest. Though we have reservation with the order of the Tribunal that the order of Disciplinary Authority would be good and binding if an order is not passed by the revisional authority but since such order

is in larger public interest, we do not find any reason to interfere in the order passed by the learned Tribunal. However, the Revisional Authority is granted further time of three months from today to pass an order finally.

5. The writ application is, thus, dismissed.

(Hemant Gupta, J)

(Ahsanuddin Amanullah, J)

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