

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.328 of 2017

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Awadhesh Prasad Singh, Son of Late Ram Kailash Singh, resident of village -
Badhana, P.S. Jehanabad, District - Jehanabad

.... Petitioner

Versus

1. The Union of India through General Manager, East Central Railway, Hajipur, District Vaishali (Bihar)
2. The Chief Commercial Manager, East Central Railway, Hajipur, District Vaishali (Bihar)
3. The Divisional Railway Manager, East Central Railway, Danapur Division Danapur, District Patna (Bihar)
4. The Senior Divisional Commercial Manager, East Central Railway, Danapur, District Patna (Bihar)
5. The Senior Divisional Personnel Officer, East Central Railway, Danapur, District Patna (Bihar)
6. The Divisional Commercial Manager, East Central Railway, Danapur, District Patna (Bihar)
7. The Assistant Commercial Manager (Coaching) East Central Railway Danapur, District Patna (Bihar)
8. The Chief Inspector of Tickets (Bed Roll), East Central Railway, Rajendra Nagar, Patna (Bihar)

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Kripa Nand Jha, Advocate

For the Respondent/s : Ms. Binita Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 04-04-2017

Some litigations must end and if they have a tendency not to end it should be brought to an end. Reason for this Court to observe as above is because the issue of recovery, which is required to be made or has been made and still left over to be made, has attained finality in the earlier round of litigations, last of them being OA No.



147/2010, where the Central Administrative Tribunal allowed the Railways to recover only 50% of the depreciated value of the actual loss caused. The petitioner has been further shown leeway by waiver of Rs. 2.55 lakhs which is required to be recovered from the petitioner.

Obviously, the indulgence or concession made by the Tribunal has emboldened the petitioner to get rid of the last round of liability also for which he has no valid ground. Petitioner is withdrawing regular pension without any kind of deduction and adjustments have been made but to a limited extent.

The Tribunal's decision does not suffer from any irrationality or error of law which needs to be rectified in this writ application.

Writ has no merit. It is dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

Rajesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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