

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.20133 of 2016

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1. The Union of India, through the Chairman, Railway Board, Ministry of Railway, Rail Bhawan, New Delhi- 110001.
 2. The Secretary, Department of Personnel & Training, North Block, New Delhi- 110001.
 3. The Secretary, Railway Board, Ministry of Railway, Rail Bhawan, New Delhi- 110001.

.... Petitioner/s

Versus

L. M. Jha, son of late Braj Bhushan Jha, Chief Administrative Officer (Construction)/ South, East Central Railway, Mahendru Ghat, P.O.- Bankipur, P.S.- Pirbahore, Town & District- Patna (Bihar).

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. P.K. Verma, Sr. Advocate
Mr. Shekhar Singh, Advocate

For the Respondent/s : Mr. Abhinav Shrivastava, 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: 16-02-2017

Only to overcome the contempt application, which has been filed before the Central Administrative Tribunal for not carrying out the direction dated 09.09.2016 passed in O.A. No. 528 of 2016 that this writ application has been filed and is being pressed now.

2. The Court has examined entirety of the matter. Keeping in view that the private respondent has minimum bench mark and so called observation of the Reviewing Authority, which is being held out against him, cannot be said to be derogatory or adverse to the extent to oust him from the zone of consideration. The Tribunal has



only passed a direction for reconsideration of the issue maintaining objectivity and keeping in mind what the Tribunal had to observe on the issue. If this direction is not acceptable to the appellant-railway, this Court will not come to their rescue.

3. The writ application is dismissed.

4. Let the Railway do what was directed to be done by the Tribunal.

(Ajay Kumar Tripathi, J.)

(Nilu Agrawal, J.)

Arjun/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	.02.2017
Transmission Date	NA

