

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1113 of 2016

=====

Sangita Devi, Daughter of Late Sachidanand Prasad, Wife of Balram Kumar
Resident of Prameshwar Dayal Road, P.S. & P.S. - B. Deoghar, District Deoghar,
Jharkhand.

.... Petitioner

Versus

1. The Union of India, through the General Manager, East Central Railway, Hajipur.
2. The General Manager, East Central Railway, Hajipur.
3. The Divisional Railway Manager, East Central Railway, Dhanbad.
4. The Senior Divisional Personnel Officer, East Central Railway, Dhanbad.
5. The Senior D.P.C. (Welfare), East Central Railway, Dhanbad.
6. The Senior D.P.C (Settlement), , East Central Railway, Dhanbad.
7. The Chief Traction Foreman (K), Gomoh, Dhanbad.
8. Indu Devi, widow of Late Sachidanand Prasad, resident of Shankar Tola, Mokama, P.O. and P.S. Mokama, District Patna.

.... Respondents

=====

Appearance :

For the Petitioners	:	Mr. Rajesh Choudhary, Advocate
For the Railway Respondent	:	Mr. Ashok Kumar Keshri, Senior railway Advocate
	:	Mr. Ritesh Kr. Singh, Railway Advocate
For respondent no. 8	:	Mr. Amrendra Nath Verma, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 02-03-2017

Heard parties.

What is done cannot be undone. That too, when all settlements of post-retiral dues have already been made in favour of respondent no. 8 on the basis of a Division Bench decision/ direction issued earlier in C.W.J.C. no. 15727 of 2012 dated 30th August, 2012 and the S.L.P. of the Railways filed against the said decision of the



Division Bench having been dismissed by the Hon’ble Supreme Court on 18.11.2013 (a copy of which is Annexure-5 in the present writ application).

Accordingly, this writ application is dismissed. Any order of stay passed earlier would stand vacated.

Dismissal of the writ application, however, may not come in the way, if the parties would appear before the Civil Court of appropriate jurisdiction for appropriate declaration.

(Ajay Kumar Tripathi, J.)

rinkee/-

(Nilu Agrawal, J.)

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	07.03.2017
Transmission Date	

