

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1207 of 2015

In
Civil Writ Jurisdiction Case No. 18886 of 2013

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Raj Kumar Hoiyani @ R.K. Hoiyani, Son of Late Udha Ram, Resident of Mohalla- Rajkumarganj, Police Station- Town Police Station, Darbhanga, District- Darbhanga.

.... Appellant/s

Versus

1. The Union of India through General Manager, East Central Railway, Hazipur, Vaishali.
2. The Chief Administrative Officer, Construction (North), East Central Railway, Mahendrughat, Patna.
3. The Financial Advisor cum Chief Accounts Officer, Construction, E.C. Railway, Mahendrughat, Patna.
4. The Deputy Finance cum Chief Account Officer, E.C. Railway, Mahendrughat, Patna.
5. The Chief Engineer, (North), E.C. Railway, Mahendrughat, Patna.
6. The Deputy Chief Engineer, (North), E.C. Railway, Mahendrughat, Patna.
7. The Deputy Chief Engineer (Construction-1), E.C. Railway, Samastipur.

.... Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Satish Chandra Jha-3 Advocate
For the Respondent/s	:	Mr. Siddhardha Prasad Advocate Mr. Om Prakash Kumar Advocate

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER
(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

2 11-08-2017 Besides the reason, which has been stated by the Learned Single Judge, while dismissing the writ application, vide his order, dated 17.10.2014, this Court will also not compel the Railway authorities to breach the terms and conditions of the agreements, which has a purpose and object behind it.



Railways, therefore, cannot be compelled to pay to the petitioner anything over and above what has already been released, till the necessary "Form-M" is obtained and tendered. If petitioner has any difficulty with the Mining Officer concerned, he may take recourse to law.

Appeal has no merit, it is dismissed.

(Ajay Kumar Tripathi, J)

(Rajeev Ranjan Prasad, J)

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