

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3490 of 2017

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Awadh Bihari Singh, Son of Late Anurudh Singh, Resident of Village and Post-Alampur, P.S.-Sheo Sagar, District-Rohtas at Sasaram. At Present resident of Quarter No. 219-D, Barbadih, P.S.-Barbadih, District-Latehar, (Jharkhand).

.... Petitioner

Versus

1. The Union of India through the General Manager, East Central. Railway, Hajipur, District-Vaishali (Bihar).
2. The General Manager (Personnel), East Central East Central Railway, Hajipur District-Vaishali (Bihar).
3. The Divisional Railway Manager, Central Railway, Dhanbad
4. The Senior Divisional Personnel officer, East Central Railway, Dhanbad.
5. The Senior Divisional Electrical Engineer, East Central Railway, Dhanbad.
6. Prem Prakash Son of Chandra Ram Senior Assistant Loco Pilot (Electrical), East Central Railway, Patratu.
7. Manish Kumar Son of late Shyam Prakash, Senior Assistant Loco Pilot (Electrical), East Central Railway, Patratu.
8. Rajesh Pratap Ranjan Son of Sri Vishwavandhu Prasad, Senior Assistant Loco Pilot (Electrical), East Central Railway, Patratu.
9. Ramashish Kumar Son of Sri Ram Swarup Ram, Senior Assistant Loco Pilot (Electrical), East Central Railway, Dhanbad.
10. R.N. Maji Son of late R.N. Maji, Senior Assistant Loco Pilot (Electrical), East Central Railway, Dhanbad.
11. Ravi Kumar Son of Sri Bindeshwari Ram, Senior Assistant Loco Pilot (Electrical), East Central Railway, Gomoh.
12. Raju Ram Son of Umakant Ram, Senior Assistant Loco Pilot (Electrical), East Central Railway, Barwadih.
13. I.K. Bharati Son of Bhikhar Paswan, Senior Assistant Loco Pilot (Electrical), East Central Railway, Barwadih.
14. Dadan Ram Son of late Udheshwar Ram, Senior Assistant Loco Pilot (Electrical), East Central Railway, Barwadih.,
15. Surendra Chaudhary Son of Ghansgyam Chaudhary, Senior Assistant Loco Pilot (Electrical) East Central Railway, Barwadih.
16. Sanjay Kumar Rajak Son of Girija Rajak, Senior Assistant Loco Pilot (Electrical), East Central Railway, Gomoh.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Nityanand Mishra, Advocate

For the Respondent/s : Mr. Bijoy Kumar Sinha, 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: 02-04-2017



If the decision of the Central Administrative Tribunal, Patna Bench, Patna in OA 31/2015, passed on 30th June, 2016 has a fall out and has consequences for this petitioner, the rightful remedy available to him, would be to move the Central Administrative Tribunal and seek suitable relief or declaration and not to challenge the order dated 30th June, 2016 which was passed by the Tribunal in favour of the applicants in which the present petitioner was not even a party or respondent.

The Court would not like to comment over and above what has been observed in the earlier part of the order.

It is made clear that the right of the petitioner would be independent of what has been adjudicated by the Tribunal because no person can be affected without any opportunity of hearing especially when such position is a fall out for this petitioner of his right.

Writ is disposed off in terms of the above.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

Rajesh/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	04.05.2017
Transmission Date	NA

