

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11691 of 2017

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1. K. K. Paswan Son of late Dineshwar Prasad Paswan Chief Office Superintendent (Eastt), Office of Divisional Railway Manager(Personnel), N.F. Railway, Katihar.
 2. Sanjeev Kumar Singh Son of Sri Rajeshwar Singh Office Superintendent (Mech). N.F. Railway, Katihar.
 3. Mukesh Kumar Son of late N.K. Prasad Office Superintendent (Mech). N.F. Railway, Katihar.
 4. Dinesh Kumar Paswan Son of G. Paswan Office Superintendent (Mech). N.F. Railway, Katihar.
 5. Chunnu Prasas Son of late Binda Prasad Office Superintendent (Mech). N.F. Railway, Katihar.
 6. Joy Prakash Mandal Son of late K.L. Mandal Office Superintendent (ENGG.). N.F. Railway, Katihar.
 7. Rajeev Ranjan Son of Balmiki Prasad Office Superintendent (Mech). N.F. Railway, Katihar.
 8. Shankar Nath Raju Son of Sidha Nath Pandit Office Superintendent (ENGG). N.F. Railway, Katihar.
 9. Lalan Kumar Son of late Sita Ram Sah Office Superintendent (Medical). N.F. Railway, Katihar.
 10. Dharmendra Prasad Son of Sri Sudarshan Prasad Office Superintendent (Medical). N.F. Railway, Katihar.
 11. Upendra Kumar Sharma Son of Prabhu Nath Sharma Office Superintendent (Mech). N.F. Railway, Katihar.
 12. Abhishek Prasun Son of late R.A. Singh Office Superintendent (Mech). N.F. Railway, Katihar.
 13. Kaushik Ghosh Son of P.K. Ghosh Senior Clerk (ENGG.), North frontier Railway, Katihar (Bihar).

.... Petitioners

Versus

1. The Union of India through the General Manager, North Frontier Railway, Maligaon(Gauhati).
2. The General Manager(Personnel), North Frontier Railway, Maligaon (Gauhati).
3. The Divisional Railway Manager, North Frontier Railway, Maligaon (Gauhati).
4. The Divisional Railway Manager (Personnel), North Frontier Railway, Maligaon(Gauhati).

-----**Respondents (1st Set).**

5. Sri Anil Kumar Giri Son of late S.K. Giri Office Superintendent



(ENGG.). N.F. Railway, Katihar.

6. Sri Anand Kumar Sinha Son of Sri B.K. Lal, Junior Engineer (Drawing / ENGG.), N.F. Railway, Katihar.

.... **Proforma Respondents (2nd Set).**

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Appearance :

For the Petitioner : Mr. M.P. Dixit, Advocate
Mr. Sanjay Kumar Chaubey, Advocate
For the Respondents : Mr. D.K. Sinha, Sr. Advocate
Mr. Siddhartha Prasad, Advocate

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

And

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 12-09-2017

Heard learned counsel for the petitioners and
learned Senior counsel for the respondents.

Perused the order dated 04.08.2017 passed by
Central Administrative Tribunal, Patna Bench, Patna in O.A.
No. 367 of 2014.

The Tribunal has rightly concluded in paragraph-
16 as under: -

“16. Now we come to the last question. We have already determined that the applicants have no right to claim absorption against ministerial cadre. However, we take note that in spite of treating it as a diminishing category, the respondents on their own have absorbed several such persons against ministerial posts. We trust that the respondent authorities would treat all these applicants fairly



and if there are no administrative difficulty in acceding to the applicants’ request for absorption in ministerial cadre, they would keep in mind that they have done so on their own in several other cases.”

The respondent authorities are directed to consider the claim of the petitioner in consonance with the direction contained in above noted paragraph-16 of the Tribunal’s order. Such decision must be taken within a period of four months from the date of production of a copy of this order.

In view of the above, the writ application stands disposed of.

(Ajay Kumar Tripathi, J.)

(Rajeev Ranjan Prasad, J.)

Rajeev/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	13. 09.2017
Transmission Date	NA

