

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12858 of 2017

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1. Union Of India through the Secretary, Ministry Of Railways, Govt. of India, Rail Bhavan, New Delhi.
 2. The Railway Board through its Chairman, Rail Bhawan, New Delhi.
 3. The General Manager, E.C. Railway, Hajipur.
 4. The General Manager (Personnel), E.C. Railway, Hajipur.
 5. The Chief Personnel Officer, E.C. Railway, Hajipur.
 6. The Divisional Rail Manager, E.C. Railway, Samastipur.
 7. The D.R.M. (Personnel), E.C. Railway, Samastipur.

.... Petitioner/s

Versus

Manorma Devi, Widow of late Raju Ram, presently residing at Village P.O. and P.S. Majahoulia, District- West Champaran.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajnandan Kumar
For the Respondent/s : Mr.

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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: 31-10-2017

Heard counsel for the Railways.

Perused the impugned order dated 12.04.2017 passed by the Central Administrative Tribunal, Patna Bench, Patna. The Central Administrative Tribunal has rightly allowed the O.A. No.942 of 2015 and given a direction for appointment of the private respondent on compassionate ground because admittedly she is legally married wife though it may be a second marriage, but this marriage was solemnized after death of first wife. A declaration in this regard was given by late employee to the Railway authorities, but only to avoid giving the



benefit to the private respondent her claim for compassionate appointment was rejected.

In fact, this was a fit writ application which should be dismissed with cost upon the Railways. However, since the counsel for the Railways prevails upon this Court not to impose cost, the writ is dismissed.

This Court directs the authorities of the Railways to implement the order of the Tribunal forthwith.

(Ajay Kumar Tripathi, J)

(Rajeev Ranjan Prasad, J)

Arvind/-

AFR/NAFR	
CAV DATE	
Uploading Date	01.11.2017
Transmission Date	

