

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Review No.141 of 2017

In
Civil Writ Jurisdiction Case No. 13440 of 2013

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1. Union of India through the General Manager, S.E. Railway, Garden Reach, Kolkata
 2. The Chief Personnel Officer, S.E. Railway, Ranchi
 3. The Divisional Railway Manager, S.E. Railway, Ranchi
 4. The Divisional Railway Manager (Personnel), S.E. Railway, Ranchi
 5. The Divisional Railway Manager (Mechanical), S.E. Railway, Ranchi
 6. The General Manager, E.C. Railway, Hajipur
 7. The Chief Personnel Officer, E.C. Railway, Hajipur
 8. The Divisional Railway Manager, E.C. Railway, Danapur
 9. The Sr. Divisional Personnel Officer, E.C. Railway, Danapur
 10. The Sr. Divisional Mechanical Engineer, E.C. Railway, Danapur

.... Petitioner/s

Versus

1. Vinod Roy, S/o Sri Jalkrishna Roy, Loco Pilot (Goods), Halta, presently posted as Asst. Loco Pilot (Goods), E.C. Railway, under Sr. DME, Danapur, District- Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Sinha

For the Respondent/s : Mr.

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CORAM: HONOURABLE THE CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 22-08-2017

This application has been filed for review/recall of the order dated 04.02.2015 passed by this Court in Civil Writ Jurisdiction Case No. 13440 of 2013.

In the matter of granting promotion to the private respondent Vinod Roy, the writ petition in question was filed under Section 227 of the Constitution challenging the order passed by the Central Administrative Tribunal. The Writ Court did not find any reason to interfere with the order of the Central



Administrative Tribunal and dismissed the Writ Petition.

Now, in this application, the ground is raised to say that if respondent Vinod Roy is granted promotion, rights of certain persons in the matter of seniority would be adversely affected and as these persons would not be heard, the order warrants review or recall. Neither was such a ground raised in the original application filed before the Central Administrative Tribunal nor it seems to have been raised when the matter was being heard.

It is for the aggrieved persons who would be adversely affected to raise their objections before the appropriate forum, in accordance with law. At the instance of the Railway Administration, we are not inclined to look into the matter.

Keeping in view the aforesaid, we see no reason to make any indulgence into the matter.

The appeal is, therefore, dismissed.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

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