

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18520 of 2015

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1. The Union of India through the Secretary cum D.G. Department of Posts, Dak Bhawan, New Delhi.
 2. The Chief PMG, Bihar Circle, Patna.
 3. The PMG, Northern Region, Muzaffarpur.
 4. The DPS (N), O/o the Postmaster General, Northern Region, Muzaffarpur.
 5. The Asstt. Director-1, O/o the PMG (N), Muzaffarpur.
 6. The Asstt. Director (Staff), O/o the PMG (N), Muzaffarpur.
 7. The Asstt. Director (P), O/o the PMG (N), Muzaffarpur.
 8. The Senior Superintendent of Post Offices, Muzaffarpur Division, Muzaffarpur.
 9. The Sr. Postmaster, Muzaffarpur Head Post Office, Muzaffarpur.

.... Petitioner/s

Versus

Dashrath Chaudhary, Son of Late Shyam Lal Chaudhary Resident of Mohalla - Mahua Shahid, Near Dharamshala Chowk, Aurangabad, District - Aurangabad.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar(ASG)

For the Respondent/s : Mr.

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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: 13-01-2017

Heard learned counsel for the Union of India and
counsel for the private respondent.

The Court does not find any infirmity with the order of
the Central Administrative Tribunal, Patna Bench, Patna dated
21.11.2014, passed in O.A. No. 851 of 2013 because the Tribunal has
fully reminded the petitioners of the office memorandum issued by
the Government of India in matters of reversion of Government
servant during pendency of a disciplinary proceeding. The said order
dated 24.12.1986 has been reproduced in paragraph 4 of the said



decision.

Since the order of the Tribunal is based on the office memorandum, therefore, the order is not required to be interfered with.

Learned Assistant Solicitor General representing the Union of India submits that they may be given liberty to act in accordance with the said office memorandum after complying with the order of the Tribunal.

This Court is not going to play as legal advisor to them. They must know what power they have and the manner the same can be exercised. The writ application is dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

Sudha/Rajesh

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	17.01.2017
Transmission Date	

