

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12630 of 2016

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Suresh Prasad Verma, S/o Late Nageshwar Prasad, resident of Mohalla – Amirganj
behind teacher training college, P.O. + P.S. - Samastipur, District – Samastipur

.... Petitioner/s

Versus

1. The Union of India represented through the General Manger, East Central Railway, Hajipur, District – Vaishali, Bihar
2. The General Manager (Personnel) East Central Railway, Hajipur, District – Vaishali, Bihar
3. The Chief Operating Manger, East Central Railway, Sonapur Division, Sonapur, Bihar
4. The Divisional Railway Manger, East Central Railway, Sonapur Division, Sonapur, Bihar
5. The Additional Divisional Railway Manger, Sonapur Division, Sonapur, Bihar
6. Senior Divisional Operating Manager, Sonapur Divisional, Sonapur, Bihar.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rajeev Ranjan
For the Respondent/s	:	Mr. Anil Kumar Sinha
For the Railways:		Mr. Kumar Manish

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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: 06-03-2017

Heard learned counsel for the petitioner and
counsel for the respondents.

Refusal by the Central Administrative Tribunal,
Patna Bench, Patna, to pass any order in favour of the
petitioner by interfering with the punishment of reducing one
stage of pay-scale for a period of three years without future



effect, is the reason for the petitioner to challenge the order, dated 4th of May, 2016.

Submission of the counsel for the petitioner is that the Tribunal, taking a technical view of the matter, has rejected his OA application and not on the merits of it.

Such a submission is required to be dispelled in view of the categorical finding, which has been given by the Tribunal as under:

“(a) It is abundantly clear from the pleadings / records that the minor penalty which was imposed upon the appellant has been the end result of due process and pursuant to due opportunity being extended to him. The applicant has not made any averment relating to any procedural lapse or any action which is violative of rules of the principles of natural justice. As such, no flaw in the disciplinary action is apparent, procedurally, legally or otherwise.”

If this be so, then even if the aspect of the petitioner, failing to avail the remedy of revision is overlooked, the net result or the outcome of the order of punishment shall remain the same, because no serious effort was made to knit-pick on the process or the procedure adopted for imposition of punishment.



The writ application has no merit, it is dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

SKM/-

AFR/NAFR	N.A.F.R.
CAV DATE	
Uploading Date	08.03.2017
Transmission Date	

