

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.16939 of 2017

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Narayan Prasad, Son of Late Mathura Saw, Resident of Village+P.O.- Dumari,
P.S.- Barahiya, District- Lakhisarai.

.... Petitioner/s

Versus

1. The Union of India through General Manager, E.C. Railway, Hajipur (Vaishali).
2. The Divisional Railway Manager, E.C. Railway, Danapur, Patna.
3. The Divisional Commercial Manager, E.C. Railway, Danapur, Patna.
4. Sri A.F.M. Taiyub Assistant Commercial Manager East Cost Railway Danapur.
5. Senior Divisional Commercial Manager, E.C. Railway Danapur, Patna.
6. Divisional Personnel Officer, E.C. Railway, East Cost Railway, Mugalsarai (U.P.)

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mritunjay Prasad Singh

For the Respondent/s : Mr. Anil Kumar Sinha

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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: 21-11-2017

The order of the Tribunal dated 12.07.2017 does not seem to suffer from any infirmity. Nothing has been said or commented about the enquiry, but the disciplinary authority was found to be incompetent for the reasons indicated in the impugned order. That is the reason why the proceeding was quashed and the matter was relegated before a new disciplinary authority from the date of conclusion of the enquiry.

The submission of the counsel is that such a direction should be interfered with and a fresh enquiry be held is nothing but an



effort to buy more time on behalf of the petitioner or sully the waters as long as he can. No such interference is warranted. The disciplinary authority will act upon the report of the enquiry officer for which the Court is informed that a notice has already been served upon the petitioner.

Writ has no merit. It is dismissed.

(Ajay Kumar Tripathi, J)

(Rajeev Ranjan Prasad, J)

Arvind/-

AFR/NAFR	
CAV DATE	
Uploading Date	23.11.2017
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