

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9410 of 2016

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Jangbahadur Paswan Son of Kari Paswan Resident of Village & Post - Sonama,
Circle & Block - Garhpura, P.S. - Bakhri, District - Begusarai.

.... Petitioner/s

Versus

1. The Chairman, Railway Board, Ministry of Railways, Govt. of India, New Delhi.
2. The Secretary, Public Grievance Cell, Railway Board, Ministry of Railways, Govt. of India, New Delhi.
3. The General Manager, East Central Railways, Hajipur.
4. The Public Relation Officer, East Central Railways, Hazipur.
5. The Divisional Rail Manager, East Central Railway, Samastipur.
6. Deepak Kumar Son of Sahadev Mahto Village & Post - Bagras Gumti Par, Block & P.S. - Bakhri, District - Begusarai.
7. Manohar Kumar Son of Sahadev Mahto Village & Post - Bagras Gumti Par, Block & P.S. - Bakhri, District - Begusarai.
8. Anil Kumar Son of Late Maya Ram Singh Village - Pranpur, P.O. Sonma, P.S.- Bakhri, District - Begusarai.
9. Amit Kumar Son of Anil Kumar Village - Pranpur, P.O. Sonma, P.S.- Bakhri, District - Begusarai.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vikash Kumar Pankaj, Adv.
For the Respondent/s : Mr. Devendra Kumar Sinha, Sr. Adv.
Mr. Satyeshwar Prasad, Adv.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 21-03-2017

Heard learned counsel for the parties.

In this case the petitioner is challenging the appointment of respondent no.6 as Flag Agent / Contractor for the purpose of distribution of railway ticket at the Sonma-Pranpur Flag Railway Station.



Firstly, a grievance has been raised that before selection, the Railway has not issued an advertisement in the local newspaper nor have local circulation. Secondly, the person, who has been appointed, is not from the same block. Thirdly, it has further been said that he has not submitted any document to show that he was the resident of that area. Fourthly, it has been submitted that the advertisement suffers from illegality as it is contrary to the circular dated 24.6.2005.

It is a fact that the advertisement was published in the daily newspaper in "Hindustan" and "Dainik Jagran" but, the petitioner could not apply for appointment as a Contractor. The claim of the petitioner that the person should be of the same block placing reliance on the circular dated 24.6.2005 is applicable only for the purpose of appointment of Contractor to the Halt Station but, that is not applicable to the Flag Station. It is admittedly in the advertisement which prescribes that the person is of same district, there is no dispute that he is not the resident of the district of Begusarai. When the petitioner has failed to apply for selection as a Contractor, now after more than one year, that too after selection of the respondent no.6, the writ application is not maintainable. The petitioner has not produced any material to show that the advertisement, which was published in the daily newspaper, was not circulated in the district of Begusarai.



With the aforementioned observation, this writ application
is dismissed.

(Shivaji Pandey, J)

Rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	22.03.2017
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