

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15702 of 2016

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Deepak Kumar, Son of Late Mithilesh Kumar Singh, Village - Pura, P.O. + P.S.
Wazirganj, District - Gaya.

.... Petitioner

Versus

1. The Union of India, through its General Manager, East Central Railway, Hajipur.
2. The Divisional Manager Railway (East Central Railway), Danapur, District Patna.
3. The Senior Divisional Commercial Manager (East Central Railway), Danapur, District - Patna.
4. The Divisional Commercial Manager, Danapur, East Central Railway, District - Patna.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Adv.
Mr. Deepak Kumar, adv.

For the Respondent/s : Mr. Amaresh Kumar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 22-02-2017

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

2. In this case, the petitioner was appointed as Halt Contractor at Pura between Jamuawan and Sazerganj Stations vide letter dated 07.03.2012 issued under the signature of the Divisional Commercial Manager, Danapur. In pursuance of the Work Order the petitioner started issuing the railway tickets, in terms of the agreement he is entitled to the commission.

3. As per the claim of the petitioner during the currency of the contract the Railway float new tender for the appointment of



Halt Contractors even for the Station in which the petitioner was working as Halt Contractor.

4. The petitioner, if so advised, may participate in the new tender which has been flouted by the Railway. However, if the petitioner is not paid the commission, the Railway authority must pay the same.

5. For convenience, the petitioner is directed to file a proper representation before the Divisional Commercial Manager, Danapur, who will be obliged to examine the claim of the petitioner with regard to commission. If it is found that the petitioner is entitled for the commission, the same should be paid to the petitioner without unnecessary delay. The entire exercise will be completed by the Divisional Commercial Manager, Danapur within a period of three months from the date of filing of representation by the petitioner.

6. With the aforesaid observations and directions, this writ application is disposed of.

(Shivaji Pandey, J)

pawan/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A.
Uploading Date	01.03.2017
Transmission Date	N/A.

