

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12098 of 2017

- =====
1. Sanjeet Kumar Son of Sri R.S. Sharma Office Superintendent
(Medical). N.F. Railway, Katihar.
2. P.K. Pandey Son of Sri K.K. Pandey Senior Clerk(Medical), N.F.
Railwaym katihar. Petitioners

Versus

1. The Union of India through the General Manager, North Frontier
Railway, Maligaon (Gauhati).
2. The General Manager(Personnel), North Frontier Railway, Maligaon
(Gauhati).
3. The Divisional Railway Manager,North Frontieor Railway,
Katihar(Bihar).
4. The Divisional Railway Manager (Personnel), North Frontier Railway,
Katihar(Bihar). Respondents
- =====

Appearance :

For the Petitioner : Mr. M.P. Dixit, Advocate
Mr. Sanjay Kumar Chaubey, Advocate
Mr. Shailendra Kumar, Advocate
Mr. Sunil Kumar, Advocate

For the Respondents : Mr. D.K. Sinha, Sr. Advocate
Mr. Siddartha Prasad, Advocate

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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: 12-09-2017

Heard learned counsel for the petitioners and
learned Senior counsel for the respondents.

Perused the order dated 04.08.2017 passed by
Central Administrative Tribunal, Patna Bench, Patna in O.A. No.
400 of 2014.

The Tribunal has rightly concluded in paragraph-16



as under: -

“16. Now we come to the last question. We have already determined that the applicants have no right to claim absorption against ministerial cadre. However, we take note that in spite of treating it as a diminishing category, the respondents on their own have absorbed several such persons against ministerial posts. We trust that the respondent authorities would treat all these applicants fairly and if there are no administrative difficulty in acceding to the applicants’ request for absorption in ministerial cadre, they would keep in mind that they have done so on their own in several other cases.”

The respondent authorities are directed to consider the claim of the petitioners in consonance with the direction contained in above noted paragraph-16 of the Tribunal’s order. Such decision must be taken within a period of four months from the date of production of a copy of this order.

In view of the above, the writ application stands disposed of.

(Ajay Kumar Tripathi, J.)

Rajeev/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	13.09.2017
Transmission Date	NA

(Rajeev Ranjan Prasad, J.)

