

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

AND

THE HON'BLE SRI JUSTICE GUDISEVA SHYAM PRASAD

W.P.No. 19937 OF 2017

DATED 31ST AUGUST, 2017

Between:

Union of India,
Rep. by F.A. & C.A.O.,
O/o The General Manager,
South Eastern Railway,
11, Garden Reach Road,
Kolkata – 700043, and another

... Petitioners

AND

B.Srirama Murthy and others

... Respondents

Counsel for the petitioners : Sri P.Bhaskar

Counsel for respondent No. 1 : --

Counsel for respondent No. 2 : Sri K.Lakshman

Counsel for respondent No. 3 : --

THE COURT MADE THE FOLLOWING

ORDER: (*per Hon'ble Sri Justice C.V.Nagarjuna Reddy*)

This Writ Petition is filed for *certiorari* to quash order dated 12-04-2016 in O.A.No. 1224 of 2015 on the file of the Central Administrative Tribunal, Hyderabad Bench, Hyderabad (for short, 'the Tribunal').

2. As the impugned order has been passed mainly based on orders in O.A.Nos. 204, 1314, 1333 and 1467 of 2012 passed by the Tribunal, this Court has adjourned the Writ Petition on 22-08-2017 to enable learned counsel for the petitioners to get instructions as to whether the orders passed in the said O.As. were questioned or not. Today at the hearing, Sri P.Bhaskar, learned counsel for the petitioners, submitted that he could not get any instructions on this aspect.

3. In our opinion, unless the previous orders, based on which the impugned order has been passed, have been questioned, the petitioners, who are parties to the said O.As. as well, cannot be permitted to question the later order as the petitioners cannot be selective in pursuing the litigation for different employees.

4. In this view of the matter, the Writ Petition is dismissed.

5. As a sequel to dismissal of the Writ Petition, W.P.M.P.No. 24382 of 2017 shall stand dismissed as infructuous.

C.V.NAGARJUNA REDDY, J.

GUDISEVA SHYAM PRASAD, J.

Date: 31-08-2017.
JSK