

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1098 of 2018

-
-
1. Brinda Devi, Wife of late Brahama Shankar Roy @ Braham Shankar Rai
 2. Chandrabhanu Roy S/o late Brahama Shankar Roy @ Braham Shankar Rai
- Both Resident of Awkash Colony, Near Town Hall, P.O. +P.S. Jhajha, District- Jamui.

... .. Petitioners

Versus

1. The Union of India through the Secretary, Indian Railway Government of India, New Delhi- 110001
2. The Chairman, Railway Recruitment Cell, East Central, Railway, Hajipur, Pin- 844102
3. The Divisional Railway Manager, Eastern Central Railway, Danapur, Pin- 801105
4. The Personnel Officer, Railway Recruitment Cell, East Central Railway, Polson Complex, Digha Ghat, Patna- Pin- 800011
5. The Assistant Personnel Officer, Railway Recruitment Cell East Central Railway, Polson Complex, Digha Ghat, Patna Pin- 800011
6. The Appellate Authority, Jhajha Workshop, Jamui Eastern Central Railway, Danapur Pin 811308

... .. Respondents

Appearance :

For the Petitioner/s	:	Mr. Shambhu Sharan Singh, Advocate
For the Respondent/s	:	Mr. Ashok Kr. Keshari, Sr. Railway Advocate Mrs. Sudha Ambastha, Railway Advocate

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date : 06-04-2018

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

The maximum this Court can do in the given case without interfering with the order of the Central Administrative Tribunal dated 25.04.2017, passed in OA 179/2017 is to allow the petitioner to draw advantage of the latest policy, which has been



brought on record by way of counter affidavit as Annexure-D, copy of which has already been served upon the counsel for the petitioner. This is the Railway Board circular of compassionate appointment. If the petitioners draw advantage of this policy then they are free to do so or else if they still have a grievance they have freedom to assail the said policy. Nothing more is required to be said or done in the case keeping in mind that compassionate appointment is not a constitutional right but it flows from the policy in existence.

Writ application stands disposed off with the above observation.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

Rajesh/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	12.04.2018
Transmission Date	NA

