

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12846 of 2018

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Bhanu Pratap Shukla, Son of Sri Madhu Mangal Shukla, resident of Sahebpara,
behind Railway Quarter no. 842 P.S. Sahayak, District Katihar.

.... Petitioner

Versus

1. The Union of India, through the Secretary, Railway Board, Rail Bhavan, New Delhi.
2. Divisional Railway Manager, N.F. Railway, P.S. and District Katihar.
3. DEN/IV/KIR N.F. Railway P.S. and District Katihar
4. Sr. Section Engineer/Works/West, N.F. Railway, P.S. and District Katihar
5. ADEN/II/ KIR, N.F. Railway, P.S. and District Katihar
6. Sr. Divisional Electrical Engineer, N.F. Railway P.S. and District Katihar

.... Respondents

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Appearance :

For the Petitioner : Mr. Ajit Kumar Singh, Advocate

For the Respondents : Mr. Anil Kumar Sinha,
Mr. Akash Keshav,
Ms. Nisha Kumari, Advocates

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 06-07-2018

Heard learned counsel for the petitioner as well as learned
counsel for the respondent-Railway.

2. The present writ petition has been filed for quashing the
office order dated 29.06.2018 passed by respondent no. 4 S.S.E/W/E/
KIR/(I.C) as contained in Annexure-1, whereby and whereunder the
respondent no. 4 has asked the petitioner to vacate the camp allotted
at Sahapara Katihar at an earliest and it should be treated as most



urgent.

3. Learned counsel for the petitioner makes a short submission to the effect that the agreement of the petitioner with the respondent-Railway was extended upto 15th January 2018 and the petitioner was required to warranty the work for a further period of one year from the date of completion. It is further submitted that his appeal for regularization of labour camp had also been accepted on payment of total amount of Rs. 9,175/- which was duly paid by the petitioner. The impugned order requiring the petitioner to vacate the labour camp at the earliest even though the period of warranty has not yet ended is thus wholly arbitrary and causes irreparable injury to the petitioner.

4. Learned counsel for the respondent-Railway is present.

5. Having regard to the nature of the grievance of the petitioner, this Court is of the view that ends of justice will be met if the petitioner is granted liberty to approach the Divisional Engineer/ IV/KIR, N.F. Railway, P.S. and District Katihar (respondent no. 3) with appropriate representation for redressal of his grievances. If any such representation is filed within a period of one week from today, the same shall be considered and disposed of on its own merits in accordance with law. It is further directed that if the petitioner approaches the concerned authority with the representation within



the stipulated time, no coercive action shall be taken against the petitioner until disposal of the same by the authority.

6. The writ petition accordingly stands disposed of.

(Vikash Jain, J)

B.T/Chandran

AFR/NAFR	NAFR
CAV DATE	N.A.
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