

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 3685 of 2015

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Shailendra Kumar Son of Lala Prasad Singh R/O- Village- And, P/S- Rupaspur,
Danapur, District- Patna.

.... Petitioner/s

Versus

1. The Union of India through the General Manager, East Central Railway, Ministry Of Railway, Hajipur.
2. The D.R.M. East Central Railway, Ministry of Railway, Danapur, Patna.
3. The Chief Engineer, Construction, Ganga Bridge, East Central Railway, Digha Ghat, Patna.
4. The Dy Chief Engineer, Construction, East Central Railway, Digha Ghat, Patna.
5. The State of Bihar, through the Secretary and Commissioner Revenue & Land Reforms Department, Govt of Bihar, Patna.
6. The District Magistrate cum Collector, Patna.
7. The District Land Acquisition Officer, Patna.

.... Respondent/s

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For the Petitioner/s	:	Mr Alok Kumar Alok, Advocate
For the Railways	:	Mr Ashok Kumar Keshari, Sr Advocate with Mr Satyeshwar Prasad, Advocate

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date: 06-08-2018

Heard learned counsel for the petitioner and the respondents.

Limited issue raised by the learned counsel for the petitioner is that his claim regarding employment on account of acquisition of certain lands by the Railway Authorities is not being considered and disposed of. Petitioner's learned counsel draws attention of the Court towards the application dated 26.09.2011 (Annexure 5) to the District Magistrate for forwarding his claim to the Railway Authorities. He has also relied on the representation dated 20.08.2010 (Annexure 6) which was to be forwarded by the District Magistrate, Patna for consideration of his claim.



Learned Senior Counsel for the Railways submits that the writ petition is not maintainable as the petitioner is required to approach Central Administrative Tribunal in respect of his claim.

In view of the limited nature of prayer made by the learned counsel for the petitioner, without expressing any opinion on the merits of the claim made by the petitioner, the writ petition is disposed of.

Respondent No 6 shall forward petitioner's claim, as contained in Annexures 5 and 6, for consideration before respondent No 1.

Needless to say that claim of the petitioner is required to be considered on its own merits in accordance with law.

Since matter is long pending, interest of justice would be served if the claim of petitioner is disposed of by a reasoned and speaking order within eight weeks from the date of receipt/production of a copy of this order.

However, if the petitioner is aggrieved by decision of respondent No 5, he would be at liberty to avail of appropriate remedy available to him.

(Madhuresh Prasad, J)

M.E.H./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	07.08.2018
Transmission Date	NA

