

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.305 of 2018

In

Civil Writ Jurisdiction Case No.8067 of 2017

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Sabita Kumari Chaudhary Wife of Late Sunil Kumar Chaudhary resident of Permanent Address: Tarkeshwari Niwad, East Indira Nagar, New Bypass Road, Kankarbagh, Patna. At present: In front of North Lane of Mohan Cinema, Mohalla- Babu Bazar, Police Station- Ara Town, District- Bhojpur.

... .. Petitioner/s

Versus

1. The Union of India Through Mr. D. K. Gayan, The General Manager, East Central Railway Hajipur
2. Shailendra Kumar Singh ,The Chief Personnel officer, East Central Railway Hajipur, Vaishali.
3. Awadhesh Kumar (D.P.O.)The Divisional Railway Manager, Danapur, Patna.
4. Ranjan Prasad Thakur The Divisional Railway Manager, Danapur, Patna.
5. Pankaj Kumar,The Divisional Railway Manager(Operating), Danapur, Patna.
6. Md. Mezharul Hasan,The Senior Divisional Finance Manager, Danapur, Patna.

... .. Opposite parties

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Appearance :

For the Petitioner/s : Mr. Rahul Nath
For the Respondent/s : Mr. Anil Kumar Sinha - SC

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

and

**HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

4 27-08-2018 Heard Mr. Sanjay Kumar for the petitioner and Mr.

Anil Singh for the Railways.

This contempt application arises from a judgment and order of the Division Bench passed in CWJC No. 8067 of 2017, whereby the respondents were directed to consider the charge of excess recovery made by the petitioner and pass appropriate order.



Mr. Singh, learned counsel for the Railways, in reference to an order passed by the Senior Divisional Personnel Officer dated 20.02.2018 enclosed at Annexure-R/1 to the show cause, informs that the claim was examined and the amount found in excess by the Railways on such verification has been refunded. Mr. Singh, thus, informs that the order has been complied.

Mr. Sanjay Kumar, learned counsel for the petitioner, submits that the quantification of refund is not correct. He submits that the petitioner is entitled to further amount and for which he seeks liberty to question the order passed by the Sr. Divisional Personnel Officer before an appropriate forum.

While granting liberty to the petitioner to question the order passed by the Senior Divisional Personnel Officer before an appropriate forum by filing appropriate application, we dispose of the contempt application.

(Jyoti Saran, J)

(Chakradhari Sharan Singh, J)

HR/-

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