

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1666 of 2016

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1. Ram Kumar Singh, Son of Late Damodar Singh, Resident of Village - Fulmalik, Police Station- Sahebpur Kamal, District- Begusarai.
 2. Dasrath Yadav, Son of Sri Nand Kishore Yadav, Resident of Village- Sabadapur, Police Station- Sahebpur Kamal, District- Begusarai.
 3. Satya Narayan Prasad Yadav, Son of late Raghu Prasad Yadav, Resident of Village- Malhipur, Police Station- Sahebpur Kamal, District- Begusarai.
 4. Paras Nath Singh Perbhakar, Son of Achutanand Singh, Resident of Village- Malhipur, Police Station- Sahebpur Kamal, District- Begusarai.
 5. Rupesh Kumar Singh, son of Late Sashi Bhusan Singh, Resident of Village- Malhipur, Police Station- Sahebpur Kamal, District- Begusarai.
 6. Harideo Sah, Son of Late Ramdhari Sah, Resident of Village- Malhipur, Police Station- Sahebpur Kamal, District- Begusarai.
 7. Jawahar Prasad Yadav, Son of Late Dhaik Lal Yadav, Resident of Village- Kharkhat, Police Station- Sahebpur Kamal, District- Begusarai.

.... Petitioner/s

Versus

1. Union of India, General Manager (Personnel) East Central Railway Hajipur.
2. Shri A.K. Mital , General Manager, East Central Railway Hajipur.
3. Shri Sushant Jha, General Manager, (Personnel) East Central Railway Hajipur.
4. Shri A.K. Mital, Director, Railway Board, Rail Bhawan, Government of India, New Delhi.
5. Shri A.K. Mishra, Deputy Chief Engineer Construction, East Central Railway, Ganga Bridge, Munger.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Nirmal Kumar, Adv.
For the Respondent/s : Mr. Anil Kr. Sinh, Adv. With
Mr. Akash Keshav, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 16-08-2018 Learned counsel for the Railways has placed before this Court Annexure R/1 attached with the show cause filed on behalf of the opposite parties. It shows that, pursuant to the order passed by the learned writ Court, the Chief Personnel Officer, East Central Railway, Hajipur, has disposed of the representation of the



petitioner saying that the claim of appointment in Railways is not tenable and is not vested right in the persons to seek other modes of rehabilitation except the compensation.

Learned counsel for the petitioner has submitted that the order passed by the Chief Personnel Officer is an unreasoned order and has not taken into consideration the submissions of the petitioner made in his representation.

This Court is of the considered opinion that the order passed by the Chief Personnel Officer may be good or bad but the same may be tested only in competent jurisdiction before a competent Court. This Court sitting in its contempt jurisdiction would not go into the reasons and the legality or validity of such reasons because it has not been shown by the petitioner or argued that the order suffers from any malafide.

Learned counsel for the State is present.

The contempt application is, thus, disposed off with a liberty to the petitioner to seek his remedy against the order passed by the Chief Personnel Officer, East Central Railway, Hajipur, in an appropriate proceeding before an appropriate Court of Law in accordance with law.

(Rajeev Ranjan Prasad, J)

Arvind/R.R.Ojha/Ved

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