

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17916 of 2017

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1. The Union of India through the General Manager, East Central Railway, Hajipur (Bihar).
 2. The General Manager (Personnel), East Central Railway, Hajipur, (Bihar).
 3. The Divisional Railway Manager, East Central Railway, Danapur.
 4. The Additional Divisional Railway Manager, East Central Railway, Danapur Division, Danapur (Bihar).
 5. The Senior Divisional Electrical Engineer (G), East Central Railway, Danapur Division, Danapur (Bihar).
 6. The Section Engineer (Electrical), East Central Railway, Kiul, Bihar.

.... Petitioner/s

Versus

Panchhi Lal son of late Indradeo Rai Resident of Village Vatbalia, P.O. - Suthiya, District Chapra (Saran), Bihar working as Ex - Electric Fitter-cum-OED under the S.E./E.C. Railway/Kiul (Bihar).

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Amaresh Kumar Sinha
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 11-01-2018

The railways seems to be aggrieved by the decision of the Tribunal dated 25.05.2017 passed in O.A. 723/2013 by the Central Administrative Tribunal, Patna Bench, Patna in allowing the O.A. to the extent that the order of removal from service has been converted to order of compulsory retirement. The totality of facts and the reason



for prolonged absence of the said employee coupled with the length of service he has rendered under the railways, we are of the opinion that a holistic view has been taken by the Tribunal in the interest of justice. The Tribunal any way has treated the employee to have been compulsorily retired w.e.f. 27.03.2003 which is punishment enough for the said employee, even though the order of removal from service was passed in the year 2010.

We are not enthused to set aside the order of the Tribunal also keeping in mind the status of the employee in question and the old litigation.

Writ is dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

Rajesh/Devendra

AFR/NAFR	NAFR
CAV DATE	NA
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