

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.8647 of 2018

=====

V. K. Gupta son of J.P. Gupta, Ex Divisional Engineer-III, East Central Railway, Sonapur Presently Posted as Executive Engineer (Construction, Design), East Central Railway, Mahendru Ghat, Patna, P.O. Bankipur, P.S. Pirbahore, Town and District-Patna-800004 (Bihar).

.... Petitioner/s

Versus

1. The Union of India through the Chairman, Railway Board, Ministry of Railway, Government of India, Rail Bhawan, New Delhi-110001.
2. The Director, Establishment, (G.P.), Railway Board, Ministry of Railway, Government of India, Rail Bhawan, New Delhi-110001.
3. The Secretary, Railway Board, Ministry of Railway, Government of India, Rail Bhawan, New Delhi-110001.
4. The Chief Personnel Officer, East Central Railway, Hajipur, P.O. Digghi Kalan, P.S. Hajipur, District-Vaishali at Hajipur, PIN Code-844101 (Bihar).

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Munna Pd Dixit (M.P. Dixit), Adv.
For the Railways : Mr. Kumar Priya Ranjan, Adv.
Mr. Niraj Kumar, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 15-05-2018

Heard.

Besides the reasons which have been assigned by the Central Administrative Tribunal, Patna Bench, Patna for dismissing the O.A. 112 of 2014 vide their order dated 05.12.2017, one thing which is glaring and is emerging from perusal of the O.A. as well as the impugned order is that even though this petitioner is assailing the seniority list dated 17.12.2013, 01.01.2012 and 01.01.2013 where many a persons have been shown senior to the present petitioner,



somehow they were not made party before the Central Administrative Tribunal nor before this Court.

Since right has accrued in their favour by the decisions, therefore, no adjudication can be made on the issue in absence of the necessary parties, who will be directly affected if relief is granted to the present petitioner. The writ application on that ground also is fit to be dismissed, which is dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

Rajesh/Devendra

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	18.05.2018
Transmission Date	NA

