

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 714 of 2018**

1. Union Of India Through The Secretary Ministry Of Railways, Rail Bhawan New Delhi.
2. General Manager South East Central Railway Headquarters Office, Bilaspur District Bilaspur.
3. Chief Personnel Officer, South East Central Railway Bilaspur Chhattisgarh.
4. Senior Personnel Officer (GAZ) South East Central Railway Bilaspur Chhattisgarh.

---- Petitioners

Versus

Bhaskar Guha S/o Late A. B. Guha Aged About 39 Years R/o Near Bony Agency,
Devri Khurd Bilaspur Chhattisgarh.

---- Respondent

For Petitioners

: Shri H.S. Ahluwalia, Advocate.

Hon'ble Shri Ajay Kumar Tripathi, Chief Justice**Hon'ble Shri Parth Prateem Sahu, Judge****Order on Board****15/11/2018****Per Ajay Kumar Tripathi, Chief Justice**

1. Heard counsel for the parties.
2. Keeping in mind the Constitution Bench decision which has been rendered in ***SLP (C) No.30621 of 2011*** i.e. ***Jarnail Singh & Others Vs. Lachhmi Narain Gupta & Others*** and analogous cases decided on 26.09.2018, the law laid down by the Hon'ble Supreme Court in ***M. Nagraj Vs. Union of India*** reported in ***(2006) 8 SCC 212*** still holds the field.
3. If this be so, the writ application is dismissed. No interference is warranted with the impugned order dated 24.08.2017 passed by Central Administrative Tribunal, Jabalpur Bench, Circuit Sitting at Bilaspur in O.A. No.203/00143/2016 since the order/orders granting promotion in breach of the ratio of the M. Nagraj case by the Railways cannot be sustained.

Sd/-

(Ajay Kumar Tripathi)
CHIEF JUSTICE

Sd/-

(Parth Prateem Sahu)
JUDGE