

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1598 of 2018

In
Letters Patent Appeal No.1981 of 2015

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Kameshwari Das Son of late Chhedi Das, Resident of Village- Ramnagar, P.S.
Bounsi, District- Banka, Bihar. Petitioner

Versus

1. The Union of India through the Secretary, Department of Railway (Ministry of Railway), Rail Bhawan, New Delhi.
2. Mr. Ashwani Lohani, Son of not known to the petitioner, the Secretary, Department of Railway, Rail Bhawan, New Delhi
3. Mr. Harendra Rao, Son of not known to the petitioner, the General Manager, Eastern Railway-17, Naetajee Subhash Road, Have Street Kolkata, West Bengal.
4. Mr. Sudhir Agrawal, Son of not known to the Petitioner, The Chief Administrative Officer(Construction), Eastern Railway-14, Strand Road, Kolkata, West Bengal.
5. Mr. Vinit Gupta, Son of not known to the petitioner, The Deputy General Manager, Eastern Railway-17, Netajee Subhash Road, Have Street Kolkata, West Bengal.
6. Mr. Mohit Sinha, Son of not known to the petitioner, The Divisional Railway Manager, Eastern Railway, Malda, West Bengal.
7. Mr. Sunil Kumar Mandal , Son of Janardan Mandal, the Deputy Chief Engineer (Construction) Eastern Railway, Bhagalpur, Resident of Near Bhikhaupur, Gumti No. 3, Bhagalpur.
8. The State of Bihar.
9. Mr. Kundan Kumar, Son of not known to the petitioner, the District Magistrate, Banka.
10. Mr. Aditya Kumar Jha, Son of not known to the petitioner, the District Land Acquisition Officer, Banka.

... .. Opposite Parties

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Appearance :

For the Petitioner/s	:	Mr.Jai Shankar Prasad, Advocate
For the Opposite Party/s	:	Mr.Prabhat Kumar Verma AAG 3
For the Railways	:	Mr.Anil Singh, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 07-08-2019

Heard learned counsel for the applicant and learned
counsel for the Railways and perused the affidavit filed today



showing cause that the claim of the applicant was considered by the Railways and the same has been rejected. It is further stated that similar claims in respect of those persons who had filed Letter Patent Appeals before this Court namely in the case of Himanshu Kumar Chaubey and others (L.P.A. No. 1981 of 2015) the same was considered and it was held that the said claimants have no right to seek any such remedy in respect of employment as displaced persons.

The said persons also approached the Apex Court in Special Leave Petition (Civil) Dairy No. 48268 of 2018 and the same was dismissed on 08th March, 2019, copy of the said order has been filed along with the show cause.

In the wake of the aforesaid background, the directions of this Court have been complied with and, therefore, there is no willful or deliberate disobedience so as to proceed in the matter.

The contempt application is consigned without prejudice to the rights of the applicant to seek his remedy in accordance with law.

(Amreshwar Pratap Sahi, CJ)

(Rajeev Ranjan Prasad, J)

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