

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9554 of 2019

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Lalan Singh Yadav @ Lallan Singh @ Lallan Singh Yadav Son of Sri Sita
Ram Singh Yadav Resident of Village-Mahuar, P.O.-Sauka, P.S.-Ramgarh,
District-Kaimur

... .. Petitioner/s

Versus

1. The Union of India through the Divisional Railway Manager (Personnel),
E.C. Railway, Samastipur
2. The Divisional Personnel Officer, East Central Railway, Samastipur
3. The Assistant Personnel Officer, East Central Railway, Samastipur
4. The Assistant Personnel Officer-, East Central Railway, Samastipur

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Kamlesh Kumar Pathak, Advocate

For the Respondent 1 to 4 : Mr. Nishi Nath Ojha, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 26-06-2019

Heard learned counsel for the petitioner and
learned counsel for the respondent Union of India.

After having heard the learned counsel for the
parties, we had called upon the production of the original
application vide order dated 29th of April, 2019 extracted
hereinunder:

"It is contended that the Tribunal has
recorded both facts in paragraph 5, namely, that the



applicant had applied, admittedly, for the post of a Forward Striker/Half (Midfielder) whereas in the same paragraph later on the narration of facts recited are that the applicant had applied for Forward Striker, but during the trial his position was found as Half (Midfielder). The correct position of recital in the application, therefore, has to be looked into before accepting or otherwise the said fact having been stated in the Tribunal's order.

Learned counsel for the Railways may, therefore, produce the original application form of the applicant.

Let the matter come up on 24th June, 2019 for the production of the aforesaid records.”

The original application has been produced today and the learned counsel for the petitioner has also perused the same. The application clearly indicates a correction indicated by the applicant himself.

In such circumstances, the conclusion drawn by the Tribunal cannot be faulted with as the records categorically support the finding recorded by the Tribunal which has been produced before us, a copy whereof has been appended to this application. A counter affidavit has also been filed on behalf of the respondents supporting the same.

Accordingly, we find no merit in the petition which



is hereby rejected.

(Amreshwar Pratap Sahi, CJ)

(Anjana Mishra, J)

Saif/-

AFR/NAFR	
CAV DATE	N.A.
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Transmission Date	N.A.

