

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVIEW No.212 of 2017

In
Civil Writ Jurisdiction Case No.20481 of 2014

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1. The Union of India through the General Manager, East Central Railway, Hajipur, Vaishali.
 2. The General Manager Personnel/Chief Personnel Officer, East Central Railway, Hajipur, Vaishali.
 3. The Divisional Railway Manager, Mughalsarai Division, East Central Railway, Mughalsarai.
 4. The Divisional Railway Manager Personnel/Senior Divisional Personnel Officer, Mughalsarai Division
 5. The Senior Divisional Engineer (Co-ordination), Mughalsarai Division, East Central Railway, Mughalsarai.
 6. The Senior Divisional Mechanical Engineer, Mughalsarai Division, East Central Railway, Mughalsarai.
 7. The Senior Section Engineer (Loco), East Central Railway, Gaya.
 8. Chief Crew Controller (Diesel), East Central Railway, Mughalsarai. null null
 9. The Office Superintendent, Pay Bill Section, East Central Railway, Mughalsarai.

... .. Petitioner/s

Versus

Ram Sagar Singh Son of Late Sheo Dutt Singh R/o Railway Quarter No. 454/A Type - II, Loco Colony, Gaya, P.O. - Gaya, P.S. Delha, District Gaya.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. D.K.Sinha, Sr. Advocate.

For the Opposite Party/s : Mr. S.Azeem, Advocate.
Mr. Sanjay Kumar Sharma, Advocate.

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 29-11-2019

Heard Mr. D.K. Sinha, the learned senior counsel for the
petitioners and the learned counsel appearing on behalf of the



opposite party. The petitioners have filed this civil review petition against the judgment and order dated 20.12.2016 passed by a Division Bench of this Court in CWJC No.19664 of 2015 and its analogous cases by which the learned Division Bench of this Court dismissed the writ petition preferred by the petitioners against the order passed by the Central Administrative Tribunal, Patna Bench, Patna in different O.As. by which order for realization of penal rent of the running staffs retaining quarters at different places were set aside.

Mr. D.K. Sinha, the learned senior counsel for the petitioners submits that on the basis of Circular No. E/Rent/16/TE/89 dated 03.12.1990, the respondent retained quarter at Gaya even after being transferred from there but PBENo.136/2000 dated 18.07.2000 speaks about the power of relaxation to the authority in certain circumstances. Mr. D.K.Sinha, the learned senior counsel for the petitioners further placed his reliance on Letter No. E(G)99 QR1-16 dated 16.03.2004 which speaks about the powers to relax the retention in the event of transfer, deputation and retirement by an employee but it appears that the railway did not produce Annexures P/3 and P/4 either before the Central Administrative Tribunal or before the learned Division Bench of this Court. In



the review petition such letters could not be looked into which were not brought either before the Central Administrative Tribunal or before the learned Division Bench of this Court.

Thus, we find no apparent error on the face of the order dated 20.12.2016. Accordingly, this civil review petition is dismissed as devoid of any merit.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

sujit/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	

