

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 1690 of 2018**

1. Union of India Through The Secretary Ministry of Railways, Rail Bhawan New Delhi.
2. General Manager South East Central Railway New GM Building, Bilaspur District-Bilaspur Chhattisgarh.
3. Senior Divisional Personnel Officer, South East Central Railway Bilaspur Chhattisgarh.
4. Assistant Personnel Officer, South East Central Railway Bilaspur Division, Bilaspur Chhattisgarh.

---- Petitioners**Versus**

1. O.P. Singh S/o S/o Late B.N. Singh Working As VI / SECR, R/o Qtr. No. 24/4, New Construction Colony Behind Mahesh Sweets Bilaspur.
2. Deepak Kumar Baghel Section Controller O/o Senior Divisional Operations Manager South East Central Railway Bilaspur Division Bilaspur.

---- Respondents

For Petitioners : Shri H.S. Ahluwalia, Advocate.

Hon'ble Shri P. R. Ramachandra Menon, Chief Justice
Hon'ble Shri Justice Parth Prateem Sahu, Judge

Judgment on Board**P. R. Ramachandra Menon, Chief Justice****02.12.2019**

1. Heard 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 & Ohters Vs. Lacchmi Narain Gupta & Others and analogous cases decided on 26.09.2018, the law laid down by the Hon'ble Supreme Court in **M. Nagaraj Vs. Union of India** reported in **(2006) 8 SCC 212** still holds the field.

3. No interference is warranted with the impugned order dated 23.10.2017 passed by the Central Administrative Tribunal, Jabalpur Bench, Jabalpur in O.A. No. 203/00606/2015 since the order/orders granting promotion in breach of the ratio of the **M. Nagaraj** case by the Railways cannot be sustained; as already held by this Court on 23.10.2018 in WPS No. 5113 of 2018. Writ petition stands dismissed accordingly.

Sd/-

(P. R. Ramachandra Menon)
Chief Justice

Sd/-

(Parth Prateem Sahu)
Judge