

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.25053 of 2018

1. Vimla Devi, w/o Late Birendra Kumar Pandit.

2. Neeraj Kumar S/o Late Birendra Kumar Pandit

Both are residents of Mohalla-Mohammadpur, P.O. Mahendru, P.S.-
Sultanganj, Town and District-Patna. Petitioners

Versus

1. The Union Of India through the Director General, Prasar Bharti, New Delhi
Pin-110001.

2. The Chief Engineer (Civil), civil construction Wing, All India Radio, 6th
Floor, Soochna Bhawan, Lodhi Road, Khan Market, New Delhi Pin-110003.

3. The Superintending Engineer(Civil), All India Radio, Doordarshan Bhawan
4th Floor Golf Green, Kolkata Pin-700095.

4. The Station Director, All India Radio, Patna Pin-800001.

5. The Addl. Director General (P) (EZ), Prasar Bharti, All India Radio, Patna
Pin-800001.

6. The Deputy Director, (Engineering) O/O Addl. Director General (P) (EZ),
Prasar Bharti, All India Radio, Patna Pin-800001.

7. The Executive Engineer, Prasar Bharti Broadcasting Corporation of India
O/o Executive Engineer (Civil) CCW, AIR, Patna Pin-800001.

8. Sri Satyendra Kumar S/O Late Jattaudhar Mahto, R/O M.T.S. AIR Frazer
Road, P.S. Kotwali, District-Patna PIN-800001.

9. Lallu Mahto, S/O Late Baleshwar Mahto, R/O M.T.S. AIR Frazer Road,
P.O. G.P.O., P.S. Kotwali, District-Patna Pin 800001.

10. Sri Birendra Minz, S/O Late William Minz, R/O M.T.S. AIR Frazer Road,
P.O. G.P.O., P.S. Kotwali, District-Patna Pin 800001.

... .. Respondents

Appearance :

For the Petitioners : Mr.Debanjan Chowdhary, Advocate.
Mr. Om Prakash Singh, Advocate.

For the U.O.I. : Mr.S.D Sanjay Addl. Soc. Gen.
Mr.Satyavrat Verma (CGC)

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

and

HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE SHIVAJI PANDEY)

2 23-01-2020 Heard learned counsel for the petitioners and learned
counsel for the Union of India.

In the present case, the petitioners are challenging the
order dated 5.10.2018 passed by the Central Administrative
Tribunal, Patna Bench, Patna in O.A. No.828 of 2018 whereby
and whereunder the claim of the petitioners has been rejected on



the ground that they have earlier moved the Tribunal and by that time it was finally adjudicated that the petitioner obtained only 64 points and the last person, who has been recommended for appointment has obtained 85 marks, on that ground, his case was rejected by the Tribunal, which was challenged before this Court in CWJC No. 12258 of 2017 and this Court vide order dated 18.9.2017 rejected the claim of the petitioners having found that there is no illegality in the order passed by the Administrative Tribunal as the last person, who has been selected, has obtained 85 marks, whereas the petitioner has only obtained 64 marks.

Now in view of the principle of *res judicata*, the petitioners cannot be allowed to agitate or re-agitate the same issue time without number. If the petitioners were not satisfied, they could have moved before the higher Court, but they cannot start the litigation journey from the initial stage.

In such view of the matter, we do not find any merit in this application and, accordingly, the same is dismissed.

(Shivaji Pandey, J)

(Anjani Kumar Sharan, J)

V.K.Pandey/-

U			
---	--	--	--

