

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22517 of 2018

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Shiv Kishore Pathak S/o Late Dev Nandan Pathak, Resident of Village-
Bhawanipur,P.S. Biraul,Distt-Darbhangha

... .. Petitioner/s

Versus

1. The Union Of India through the Secretary, Ministry of Railway, Govt. of India, New Delhi.
2. The General Manager, Eastern Central Railway, Hazipur
3. The Divisional Rail Manager (Personnel), Samastipur
4. The Assistant Personnel Officer-II, Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : None.
For the Railways : Mr. Kumar Manish, Advocate

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

and

HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE SHIVAJI PANDEY)

Date : 31-01-2020

This case is being listed consecutively and the counsel for the petitioner chose to remain absent on each date. When the case was listed on 29.01.2020, we have adjourned the case, but we have made it clear that if the counsel for the petitioner would remain absent, this Court would decide the case on its own merit and the assistance extended by counsel for the Railways. Now we have no option, but to dispose of the matter on merit.

The matter relates to compassionate appointment as the petitioner is claiming to be adopted son of deceased railway



employee, Dev Nandan Pathak, but he filed the application after lapse of limitation period as Dev Nandan Pathak died on 14.06.1988 and he has approached the Tribunal in the year 2017 without explaining the delay, even apart, the petitioner failed to produce the relevant material showing that he was adopted by Late Dev Nandan Pathak.

In that view of the matter, we do not find any error in the order of the Tribunal and, accordingly, this application is dismissed.

(Shivaji Pandey, J)

(Anjani Kumar Sharan, J)

V.K.Pandey/-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	03.02.2020
Transmission Date	N.A.

