

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
NAGPUR BENCH, NAGPUR.

**WRIT PETITION NO.238 OF 2020**

Rajesh Kumar Patel, Civil Lines, Nagpur

-vs-

Divisional Railway Manager, S.E.C.R. Nagpur Division, Nagpur and ors.

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Office notes, Office Memoranda of  
Coram, appearances, Court's orders  
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri Amit Khare, Advocate for petitioner.

**CORAM : R. K. DESHPANDE AND  
A. S. CHANDURKAR, JJ.**

**DATE : January 14, 2020**

The petitioner challenges the order dated 17/12/2019 passed by the South East Central Railway (for short, S.E.C.R) for recovery of certain dues from the petitioner in relation to monthly rent of the premises occupied by him.

The petitioner claims to be an employee of S.E.C.R. but on deputation with the respondent No.4 Maharashtra Metro Railways Corporation Limited (Maha Metro). The S.E.C.R. have cancelled the allotment of quarter to the petitioner and recovery of rent is sought. Accordingly directions are issued to the respondent No.4 Maha Metro. It is conceded before us that unless the order dated 17/12/2019 passed by the S.E.C.R. is quashed and set aside, no consequential order can be passed against the respondent No.4 Maha Metro. The petitioner was enjoying the accommodation in question and recovery of rent is sought which is the benefit attached to the service conditions of the petitioner under S.E.C.R. The petitioner has a remedy to approach the Central Administrative Tribunal for such relief.

Obviously, if the communication dated 17/12/2019 is quashed and set aside the respondent No.4 Maha Metro would be bound by it.

We permit the petitioner to approach Central Administrative Tribunal. All questions are left open.

Writ petition is dismissed. No costs.

**JUDGE**

**JUDGE**