

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 4963 of 2021

Kunti Sahu Wd/o Late Dev Kumar Sahu Aged About 30 Years R/o Village And Post Jangalpur, Tahsil Dongargaon, District- Rajnandgaon (C.G.)

---- Petitioner

Versus

1. Union of India Through Secretary Department Of Railway, (Railway Board) Mantralaya, New Delhi, District : New Delhi, Delhi
2. Senior Personnel Officer (Construction) Personnel Branch, S.E.C.R., Bilaspur Division, Bilaspur (C.G.), District : Bilaspur, Chhattisgarh
3. Senior Personnel Officer (Construction) Personnel Branch, S.E.C.R. Nagpur Division, Nagpur (M.H.), District : Nagpur, Maharashtra
4. Senior Personnel Officer (Recruitment Section) Personnel Branch, S.E.C.R. Nagpur Division, Nagpur (M.H.), District : Nagpur, Maharashtra
5. Sub- Divisional Officer (Revenue) Rajnandgaon, Tahsil And District Rajnandgaon (C.G.).

---- Respondents

WPS No. 4975 of 2021

Punaram Sahu S/o Shri Lalram Sahu Aged About 50 Years R/o Ward No. 01, Village Sundra, Post Sundra, District Rajnandgaon Chhattisgarh

---- Petitioner

Versus

1. Union of India Through Secretary, Department Of Railway (Railway Board) Mantralaya New Delhi
2. Senior Personnel Officer (Construction) Personnel Branch, S. E. C. R. Bilaspur Division Bilaspur Chhattisgarh
3. Senior Personnel Officer (Construction) Personnel Branch S. E. C. R. Nagpur Division, Nagpur M. H.
4. Senior Personnel Officer (Recruitment Section) Personnel Branch S. E. C. R. Nagpur Division, Nagpur M. H.
5. Sub-Divisional Officer (Revenue) Rajnandgaon Tahsil And District Rajnandgaon Chhattisgarh

---- Respondents

WPS No. 4976 of 2021

Bhagwat Das Sahu S/o Shri Chhote Das Sahu Aged About 47 Years R/o Ward No. 01, Village Parrikala, Post And District Rajnandgaon Chhattisgarh

---- Petitioner

Versus

1. Union Of India Through Secretary, Department Of Railway (Railway Board) Mantralaya New Delhi
2. Senior Personnel Officer (Construction) Personnel Branch S. E. C. R. Bilaspur Division, Bilaspur Chhattisgarh
3. Senior Personnel Officer (Construction) Personnel Branch, S. E. C. R. Nagpur Division Nagpur M. H.

4. Senior Personnel Officer (Recruitment Section) Personnel Branch S. E. C. R. Nagpur Division, Nagpur M. H.
5. Sub-Divisional Officer (Revenue) Rajnandgaon Tahsil And District Rajnandgaon Chhattisgarh

---- Respondents

WPS No. 4977 of 2021

Gaind Singh S/o Shri Charan Singh Aged About 68 Years Village Parrikala, Post And District Rajnandgaon Chhattisgarh.

---- Petitioner

Versus

1. Union Of India Through Secretary, Department Of Railway (Railway Board) Mantralaya New Delhi
2. Senior Personnel Officer (Construction) Personnel Branch S. E. C. R. Bilaspur Division, Bilaspur Chhattisgarh
3. Senior Personnel Officer (Construction) Personnel Branch, S. E. C. R. Nagpur Division Nagpur M. H.
4. Senior Personnel Officer (Recruitment Section) Personnel Branch S. E. C. R. Nagpur Division, Nagpur M. H.
5. Sub-Divisional Officer (Revenue) Rajnandgaon Tahsil And District Rajnandgaon Chhattisgarh

---- Respondents

WPS No. 4983 of 2021

Puranlal Shrivastava S/o Shri Charan Singh Aged About 58 Years R/o Village Parrikala, Post And District Rajnandgaon Chhattisgarh.

---- Petitioner

Versus

1. Union Of India Through Secretary, Department Of Railway (Railway Board) Mantralaya New Delhi
2. Senior Personnel Officer (Construction) Personnel Branch S. E. C. R. Bilaspur Division, Bilaspur Chhattisgarh
3. Senior Personnel Officer (Construction) Personnel Branch, S. E. C. R. Nagpur Division Nagpur M. H.
4. Senior Personnel Officer (Recruitment Section) Personnel Branch S. E. C. R. Nagpur Division, Nagpur M. H.
5. Sub-Divisional Officer (Revenue) Rajnandgaon Tahsil And District Rajnandgaon Chhattisgarh

---- Respondents

WPS No. 4995 of 2021

Narayan Das Sahu S/o Shri Chhotu Das Sahu, Aged About 53 Years R/o Village - Parrikala, Post And District Rajnandgaon Chhattisgarh.

---- Petitioner

Versus

1. Union of India Through Secretary Department Of Railway, (Railway Board) Mantralaya, New Delhi.
2. Senior Personnel Officer (Construction), Personnel Branch, S.E.C.R., Bilaspur Division, Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

3. Senior Personnel Officer (Construction), Personnel Branch, S.E.C.R. Nagpur Division, Nagpur (M.H.), District : Nagpur, Maharashtra
4. Senior Personnel Officer (Recruitment Section), Personnel Branch, S.E.C.R. Nagpur Division, Nagpur (M.H.), District : Nagpur, Maharashtra
5. Sub - Divisional Officer (Revenue), Rajnandgaon, Tahsil And District Rajnandgaon Chhattisgarh.

---- Respondents

For Petitioners	:	Shri Anumeh Shrivastava, Advocate.
For State	:	Shri Jitendra Pali, Dy. Advocate General.
For Respondent- UOI	:	Shri RK Gupta, Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

23.09.2021.

1. Since common facts and issues are involved in all these writ petitions, they are being disposed of by this common order.
2. At the outset, the counsel for the respondent-Department of Railways have raised an objection that the writ petitions would not be maintainable before the High Court as the Establishment of Railway stands notified under Section 14 of the Administrative Tribunals Act, 1985 (in short, the Act, 1985) and the jurisdiction of hearing the matter would now be with the concerned Central Administrative Tribunal (CAT).
3. Given the said objection and also the fact that Railway being a department which stands notified under Section 14 of the Act, 1985, all the writ petitions at this juncture stand disposed of reserving the right of the petitioners to approach the concerned CAT for ventilating their grievances.
4. The petitioners having approached this court or while seeking relief from the Tribunal should not come in way of the Department for taking the matter for its decision on administrative side.

Sd/-
(P. Sam Koshy)
Judge