

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.3576 of 2022**

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Sunny Kumar S/o Kalendra Prasad, Resident of Village - Balwpar, P.O. - Kawa, P.S. - Hilsha, District - Nalanda.

... .. Petitioner/s

Versus

1. Union of India.
2. Divisional Rail Manager, P.O. - Hajipur, District - Vaishali.
3. General Manager (Vigilance) East Central Railway, P.O. Hajipur, District - Vaishali (Hajipur).
4. The Welfare Officer Hajipur, Dist. - Vaishali.
5. The Station Superintendent, ECR, Sonapur, P.O. - Hajipur, Dist. - Vaishali.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Bhola Prasad No.1

For the Respondent/s : Mr. Uma Shakar Verma, Sr.AC to UOI

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**CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI**  
**and**  
**HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

**(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)**

4      07-07-2022                      Heard learned counsel for the parties.

In the instant petition petitioner has prayed for the  
following reliefs:-

“1. That this writ petition is filed by the petitioner seeking Direction from this Hon’ble Court through appropriate writ/writs/order commanding respondents authorities to appoint this petitioner on compassionate grounds on either of post as his brother died in harness due to blood cancer and declared this petitioner as dependents during his life time, also prays



for cost on Respondents due to long delay.”

Undisputed facts are that the petitioner grievance is relating to compassionate appointment on account of petitioner’s father death. Petitioner’s father was working with the Railways Department. As such the petitioner has rightly invoke remedy before the Central Administrative Tribunal which is the first court of instance in the light of **L. Chandra Kumar vs. Union of India and Ors.** reported in **(1997) 3 SCC 261**. However, in the present petition petitioner has not assailed any order of the Central Administrative Tribunal, so as to invoke writ jurisdiction, in the light of **L. Chandra Kumar** decision cited supra.

Accordingly, the present petition stands dismissed reserving liberty to question the validity of any adverse order to be passed or stated to have been passed by the Central Administrative Tribunal.

**(P. B. Bajanthri, J)**

**( Rajiv Roy, J)**

Prakash Narayan /-

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