

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.295 of 2018

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Brij Kishore Roy Son of late Langtu Roy Resident of CB-19, Vishwas Apartment, Christian Colony, keshav Lal Road, Lodipur, Patna.

... .. Petitioner/s

Versus

1. The Union of India
2. The Under Secretary, Department of Personal and Training, North Block, New Delhi.
3. The Chairman, Prasar Bharati, Mandi House, Copumicus Marg, New Delhi.
4. The Chief Executive Officer, Prasar Bharti, Mansi House , Compumicus Marg, New Delhi.
5. The Chief Executive General, AIR Akashwani Bhawan, Sansad Marg, New Delhi.
6. The Director General, Doordarshan, Mandi House, Copumicus Marg, New Delhi.
7. The Chief Engineer, TV and AIR East Zone, Akashwani Bhawan, 4th Floor Eder Garden, Kolkata.
8. Central Public Information Officer, Akashwani Directorate Akashwani Bhavan, Sansad Marg, New Delhi.
9. The Director Administrative Engineering, Prasar Bharti the first Appellate Authority, Akashwani Di
10. The Central Information Commission, Room No. 307, IInd Floor, B-Wing, August Kranti Marg, Bhikagi G
11. The Director Doordarshan Kendra, Patna.
12. The Station Director, All India Radio, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Ms. Archana Sinha, Advocate Mr.Mukesh Kumar, Advocate
For the Respondent/s	:	Mr.S.D Sanjay Addl. Soc. Gen. Mr. Sujeet Kumar Sinha, CGC

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 23-08-2022 The present case has a chequered history inasmuch as though the present writ petition was initially filed for directing the respondent no. 8 to provide certain information, as sought by



the petitioner under the Right to Information Act, 2005, however, during the interregnum period, the petitioner has thought it proper to amend the writ petition by filing I.A. No. 1 of 2022, wherein a prayer has been made to quash Annexure-7 to the writ petition i.e. the order dated 23.05.2017 by which the benefits of ACP granted to the petitioner earlier, has been withdrawn, in teeth of the judgment dated 07.09.2009 and the one dated 01.11.2010 passed in O.A. No. 514 of 2002 and O.A. No. 3622/3623 of 2010, respectively by the learned Central Administrative Tribunal, Patna Bench, Patna, which has been upheld by a judgment dated 25.08.2010 passed by a learned Division Bench of this Court in CWJC No. 6451 of 2010, as has further been upheld by the Hon'ble Apex Court by a judgment dated 10.01.2011 passed in S.L.P. (C) No. 20212 of 2010.

After some arguments, realizing the fact that the service matters of the Engineers employed by Prasara Bharti/ that of the Central Government employees are required to be dealt with originally by the Central Administrative Tribunal, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Central Administrative Tribunal, Patna Bench, Patna for assailing the order dated 23.05.2017



passed by the Deputy Director Administration (E), Prasar Bharti, New Delhi as also regarding redressal of any other grievances connected therewith. Liberty so sought is granted.

This Court further directs that in view of the time already spent by the petitioner before this Court, in pursuing the present writ petition i.e. CWJC No. 295 of 2018, it would be expedient and in the interest of justice to request the learned Central Administrative Tribunal, Patna Bench, Patna to dispose off the original application to be filed by the petitioner within a period of six months of filing of the same, in case such O.A. is filed by the petitioner within a period of four weeks from today. The said observation is not opposed by the learned counsel for the respondent- Union of India.

Accordingly, the writ petition stands disposed off, however, with the aforesaid liberty and observation.

(Mohit Kumar Shah, J)

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