

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 6952 of 2022

Jyoti Ranjan Nath

.....

Petitioner

Mr. S. Behera, Advocate

Vs.

Union of India & Others

.....

Opposite parties

Mr. P.K. Parhi, A.S.G.I.

CORAM:

DR. JUSTICE B.R. SARANGI

MISS JUSTICE SAVITRI RATHO

ORDER

30.03.2022

Order No.

01.

This matter is taken up through hybrid mode.

2. Heard Mr. S.B. Jena, learned counsel for the petitioner and Mr. P.K. Parhi, A.S.G.I.

3. The petitioner has filed this writ petition assailing the order dated 06.01.2022 passed in O.A. No.585 of 2021, by which the Central Administrative Tribunal, Cuttack Bench, Cuttack refused to dispose of the representation filed by the petitioner.

4. As it appears, the petitioner, who is Asst. Loco Pilot had approached the tribunal seeking direction to opp. party no.2 to consider his representation dated 01.12.2020 with regard to re-inquire the matter by the CRS and fix responsibility as per Section 113 of the Railway Act under Annexure-A/7 to the O.A. within a stipulated period.

5. But the tribunal, after hearing the learned counsel for the parties, came to a finding that the fact finding report submitted by CRS relating to the collision of Train No.784048 (Bhadrak DMU Passenger) at Kathajodi PH causing loss of two lives and injury of several persons on 29.09.2016, is an internal matter between the CRS and the Railway and thereby the petitioner can have hardly

any grievance on the said report and if at all any grievance he may approach appropriate authority instead of approaching the tribunal. Therefore, the tribunal is well justified in passing the order that the tribunal lacks jurisdiction to interfere in the fact finding report submitted by the CRS in the railway accident case and dismissed the original application.

6. In view of such position, this Court affirmed the view taken by the Tribunal in O.A. No.585 of 2021 and permitted the petitioner to pursue his remedy before the higher authority.

7. With the above observation, the writ petition stands disposed of.

(DR. B.R. SARANGI)
JUDGE

(SAVITRI RATHO)
JUDGE

Alok/Sukanta

