

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5242 of 2020

1. The Union of India through the General Manager, East Central Railway, Hajipur, P.O. Hajipur, Dist.- Vaishali (Bihar).
2. The General Manager (Personnel), East Central Railway, Hajipur, P.O. Hajipur, District- Vaishali (Bihar).
3. The Chief Electrical Engineer, East Central Railway, Hajipur, P.O. Hajipur, District- Vaishali (Bihar).
4. The Senior Divisional Personnel Officer, East Central Railway, Dhanbad (Jharkhand).
5. The Senior Divisional Electrical Engineer, East Central Railway, Dhanbad (Jharkhand).
6. The Senior Divisional Personnel Officer, East Central Railway, Danapur, P.O. Khagaul, District- Patna (Bihar).

... .. Petitioner/s

Versus

1. Mukesh Kumar son of Late Kapildeo Prasad Assistant Loco Pilot, Gomoh, Under Senior Divisional Electrical Engineer, East Central Railway, Dhanbad Division, District- Dhanbad.
2. Jitendra Kumar son of Sri Sahesh Prasad Yadav Assistant Loco Pilot, Gomoh Under Senior Divisional Electrical Engineer, East Central Railway, Dhanbad Division, District- Dhanbad.
3. Chandra Mohan Jha son of Sri Ramjee Jha Assistant Loco Pilot, Gomoh Under Senior Divisional Electrical Engineer, East Central Railway, Dhanbad Division, District- Dhanbad.
4. Abhay Kumar Sinha son of Sri Arun Srivastava Assistant Loco Pilot, Gomoh, Under Senior Divisional Electrical Engineer, East Central Railway, Dhanbad Division, District- Dhanbad.
5. Ravindra Kumar Prabhar son of Sri Lal Bihari Yadav Assistant Loco Pilot, Gajandi Under Senior Divisional Electrical Engineer, East Central Railway, Dhanbad Division, District- Dhanbad.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Awadhesh Kumar Pandey, Sr. Advocate Mr. R.K. Sharma, CGC
For the Respondent/s	:	Mr. Munna Pd Dixit, Advocate Mr. Sanjay Chaubey, Advocate Ms. Swastika, Advocate



**CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL JUDGMENT**

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

Date : 23-01-2023

Heard learned counsels for the respective parties

2. In the present petition insofar as Mukesh Kumar, Jitendra Kumar and Abhya Kumar Sinha, respondent Nos. 1, 2 and 4 respectively are concerned, matter was deferred on 15.12.2022 in order to ascertain whether their original applications filed before the Central Administrative Tribunal was within the time limit or not?

3. Today, learned counsel for the respective parties submitted that original applications was within the time limit of one year and original applications was maintainable in the absence of any delay and Section 21 of the Administrative Tribunal Act is not attracted so as to file interlocutory application for condonation of delay. This material information has not been disputed in the supplementary affidavit filed by the petitioners. In the light of these facts and circumstances, writ petition filed against Mukesh Kumar, Jitendra Kumar and Abhay Kumar Sinha, respondent Nos. 1, 2 and 4, respectively by the Union of India - Department is



hereby rejected in the light of the order passed in C.W.J.C. No.
4895 of 2020 decided on 04.07.2022.

(P. B. Bajanthri, J)

(Arun Kumar Jha, J)

GAURAV S./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	30.01.2023
Transmission Date	NA

