

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1150 of 2020

1. The Union of India through the General Manager, East Central Railway, Hajipur, Dist.-Vaishali (Bihar).
2. The General Manager (Personnel), East Central Railway, Hajipur, Dist.-Vaishali (Bihar).
3. The Divisional Railway Manager, East Central Railway, Danapur, P.O.-Khagaul, Dist.-Patna-801105 (Bihar).
4. The Senior Divisional Personnel Officer, East Central Railway, Danapur, P.O.-Khagaul, Dist.-Patna-801105 (Bihar)
5. The Senior Divisional Mechanical Engineer (Carriage and Wagons), East Central Railway, Danapur, P.O.-Khagaul, Dist.-Patna (Bihar).
6. The Divisional Electrical Engineer (Train Lighting), East Central Railway, Danapur, P.O.-Khagaul, Dist.-Patna (Bihar).
7. The Senior Financial Manager, East Central Railway, Danapur, P.O.-Khagaul, Dist.-Patna (Bihar).

... .. Petitioner/s

Versus

1. Sunil Kumar Roy Son of Late Ramashish, Technician Grade-I Under Senior Section Engineer (Carriage and Wagon), East Central Railway, Rajendra Nagar Coaching Complex, Patna.
2. Ranjeet Kumar Son of Late Suresh Chaudhary, Technician Grade-I Under Senior Section Engineer (Carriage and Wagon), East Central Railway, Rajendra Nagar Coaching Complex, Patna.
3. Gautam Kumar Son of Late Tugal Rai, Technician Grade-I, Under Senior Section Engineer (Carriage and Wagon), East Central Railway, Rajendra Nagar Coaching Complex, Patna.
4. Mohan Kumar Son of Late Mahendra Singh, Technician Grade-II Under Senior Section Engineer (Carriage and Wagon), East Central Railway, Rajendra Nagar Coaching Complex, Patna.
5. Ram Chandra Choubey Son of Sri Lalan Choubey, Grade-I Under Senior Section Engineer (Carriage and Wagon), East Central Railway, Rajendra Nagar Coaching Complex, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Anand Kumar, Advocate
For the Respondent/s : Mr. Yogendra Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL JUDGMENT



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

Date : 20-06-2023

In the instant petition, petitioners – Union of India & Ors. have assailed the order of the CAT dated 13.12.2018 passed in O.A. No. 050/00057/14 (MA/050/00045/14).

2. The matter was heard on 02.05.2023 and the following order was passed:-

“Heard learned counsels for the respective parties.

Core issue involved in the present *lis* is whether respondents/applicants who were appointed on compassionate ground with matriculation qualification are entitled to stipend on par with those I.T.I. and other technical qualification holders or not?

Perusal of the policy decision of the petitioners, they have distinguished stipend with matriculation and with technical qualification. Matriculation persons who have been appointed on compassionate ground, they have approached C.A.T. in filing O.A. No. 835 of 1998 to the extent that there is discrimination among the stipend which was allowed in favour of the employees and further whether petitioner - department have preferred writ petition or S.L.P. before Hon'ble Apex Court and what is the result. These material information shall be placed on record by the petitioners before the next date of hearing in order to ascertain whether the respondents' matter is covered by OA No. 835 of 1998 or not?

Re-list this matter on 20.06.2023.”

3. Today learned counsel for the petitioner submitted that the petitioner – Union of India & Ors. have suffered an order in a writ petition against order in O.A. No. 835 of 1998. It is also submitted that against orders of this Court, an S.L.P. was



preferred, however, S.L.P. records are not available. The aforesaid submissions cannot be accepted for the reasons that petitioners have been granted sufficient time to ascertain the position. Therefore, the petitioners have not made out a case so as to interfere with the order of the CAT dated 13.12.2018 passed in O.A. No. 050/00057/14 (MA/050/00045/14).

4. Accordingly, present writ petition stands dismissed.

(P. B. Bajanthri, J)

(Jitendra Kumar, J)

shoaib/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	24.06.2023.
Transmission Date	NA

