

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(102)

RSA-4857-2017 (O&M)

Date of Decision : May 02, 2023

Amandeep Gill

.. Appellant

Versus

General Manager Northern Railways and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Jatinder Singh Gill, Legal Aid Counsel, for the appellant.

Mr. Somesh Gupta, Advocate, Sr. Panel Counsel, for UOI.

HARSIMRAN SINGH SETHI J. (ORAL)

At the outset, learned counsel for the respondents submits that though a finding has been recorded by the lower Appellate Court that the claim against Railway is admissible before the Civil Court but as per the notification issued by the Government of India, all the service matters relating to seeking appointment/promotion, is only admissible before the Central Administrative Tribunal, hence, the findings recorded by the lower Appellate Court on the said issue are incorrect.

Faced with this situation, learned counsel for the appellant submits that though, there is a challenge to the judgment of the lower Appellate Court in the present appeal and keeping in view the objection raised by the learned counsel for the respondents, the present Regular

Second Appeal may kindly be disposed of having been not pressed any further with liberty to the appellant to raise his claim before the appropriate forum i.e. Central Administrative Tribunal and the question of law may be kept open.

Ordered accordingly.

CM-12840-C-2017, CM-8629-C-2022 and CM-8643-C-2022

Learned counsel for the appellant submits that he does not wish to press the present applications and the same may kindly be disposed of as such.

Ordered accordingly.

May 02, 2023

harsha

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No