

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2526 of 2024

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Ramesh Chandra Kumawat S/o- Sohan Lal Kumawat, Resident of village-
Chileshwar, P.O- Chileshtar, P.S- Karera, District- Bhilwara, Rajasthan-
311804

... .. Petitioner/s

Versus

1. The Union of India Through the Ministry of Railway, Government of India,
Rail Bhavan, Raisina Road, New Delhi-110001
2. The Ministry of Railway through the General Manager, Eastern Railway,
Kolkata
3. The Railway Recruitment Board, Kolkata through its Chairman
4. The Chairman, Railway Recruitment Board, Kolkata
5. The Chairman, Railway Recruitment Board, Patna
6. The Principal Chief Personnel Officer, Eastern Railway, Kolkata
7. The Assistant Personnel Officer, Eastern Railway, Jamalpur, Bihar
8. The Chief Works Manager, Eastern Railway, Jamalpur Workshop, Jamalpur,
District- Munger, Bihar-811214

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Awnish Kumar, Adv.
For the Respondent/s	:	Dr. K.N.Singh, Addl. SG
		Mr. Amarendra Nath Verma, Sr. CGC

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 14-03-2024 The present writ petition has been filed seeking the
following reliefs:-

“1(i). For issuance of an appropriate writ in the
nature of Mandamus commanding and directing
the respondent authorities to appoint the
Petitioner on the post of Nursing Superintendent



(Staff Nurse) for which he was selected and empanelled by the Railway Recruitment Board (Kolkata) in view of the letter dated- 10.02.2020 issued by the Eastern Railway, Jamalpur Locomotive Workshop, Jamalpur and further directing the respondent authorities to allow the Petitioner to join the Main Hospital Eastern Railway, Jamalpur as Nursing Superintendent for which he was selected and empanelled.

(ii). For issuance of an appropriate writ in the nature of certiorari for quashing the letter dated -19.10.2020 issued vide Letter No-F/WPO/Recruit Cell/Pharmacist/SN/51 by the respondent no-8 to the respondent no- 6 and communicated to the petitioner whereby and whereunder the name of the Petitioner has been returned back from panel for the post of Nursing Superintendent due to pendency of criminal case against him on the ground that the petitioner had fairly disclosed the pending criminal case against him in the necessary form sent along with letter dated-10.02.2020 in which he was already been granted the privilege of Anticipatory bail by the Hon'ble Rajasthan High Court on dated- 07.12.2017 and the petitioner was also acquitted later on vide an order dated-01.06.2022 passed by the Additional Session Judge, Bhilwara, Rajasthan passed in Session Trial No- 13/2018.

(iii). For further quashing the Letter dated- 19.10.2020 on the ground that the Petitioner was



neither given any show-cause nor any explanation was sought from the petitioner before returning his name from the panel for the post of Nursing Superintendent in utter violation of the Principles of Natural Justice.

(iv). For a declaration that the candidature of the petitioner cannot be rejected after his selection and empanelment on the post of Nursing Superintendent simply on grounds of pending criminal case against him which the petitioner had fairly disclosed if there was neither any specific bar prescribed in the advertisement issued by the RRBs dated- 23.02.2023 nor in the registration form with regards to pending criminal case against the candidate.”

2. At the outset, the learned counsel for the petitioner seeks a direction upon the Central Administrative Tribunal, Patna, to expedite the proceedings of the pending original application bearing OA No. 242 of 2022.

3. Having regard to the limited prayer made by the petitioner in the present case, I deem it fit and proper to grant liberty to the petitioner to file appropriate application before the learned Central Administrative Tribunal, Patna, for expediting the hearing of the case in question, which shall be considered sympathetically and decided expeditiously.



4. The present writ petition stands disposed off on the
aforesaid terms.

(Mohit Kumar Shah, J)

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