

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5941 of 2024

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Suresh Singh Son of Sri Bishwanath Singh, resident of Village-Buchia, P.S.-
Barauli, District-Gopalganj.

... .. Petitioner/s

Versus

1. The Union of India through the General Manager, North Eastern Railway, Gorakhpur, Uttar Pradesh.
2. The General Manager (P), North Eastern Railway, Gorakhpur, Uttar Pradesh.
3. The Chief Personnel Officer, North Eastern Railway, Gorakhpur, Uttar Pradesh.
4. The Divisional Railway Manager, North Eastern Railway, Varanasi Pramandal, Uttar Pradesh.
5. The Divisional Engineer, North Eastern Railway, Varanasi, Uttar Pradesh.
6. The Assistant Engineer, North Eastern Railway, Chapra, Bihar.
7. The Rail Path Nirikshak, P.W. 1 Shidhwalia, Gopalganj, Bihar.
8. The Public Information Officer, North Eastern Railway, Varanasi.
9. Maharaj son of Sangam, resident of Village-Buchia, P.S.-Barauli, District-Gopalganj.
10. Janaki son of Ramdhari, resident of Village-Buchia, P.S.-Barauli, District-Gopalganj.
11. Phulena, son of Sri Kotan Chaudhary, resident of Village-Buchia, P.S.-Barauli, District-Gopalganj.
12. Sudarshan son of Bisesar, resident of Village-Buchia, P.S.-Barauli, District-Gopalganj.
13. Suresh Mishra, son of Gauri Mishra, resident of Village-Buchia, P.S.-Barauli, District-Gopalganj.
14. Bindeshwari Manjhi, son of Ghasi Manjhi, resident of Village-Buchia, P.S.-Barauli, District-Gopalganj.
15. Chandeshwar, son of Asarfi, resident of Village-Buchia, P.S.-Barauli, District-Gopalganj.
16. Shivji, son of Jagarnath Roy, resident of Village-Buchia, P.S.-Barauli, District-Gopalganj.
17. Kanhaiya, son of Bhola, resident of Village-Mangalpur, P.S.-Mohammadpur, District-Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Jitendra Kumar Shrivastwa, Advocate
For the Respondent/s	:	Radhika Raman, Sr. CGC



Mr. Ram Tulabh Singh, CGC

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY
ORAL ORDER

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

8 04-09-2024 The petitioner was stated to have been engaged on *ad hoc* basis in the year 1977 and his services have been dispensed in the year 1980 and it is disputed by the petitioner to the extent that his services have been dispensed only in the year 1986. Therefore, his grievance is relating to reinstate him on *ad hoc* basis. Similar relief has been sought by eight others in O.A. No. 166 of 2009.

2. Learned counsel for the petitioner submitted that petitioner and others have approached earlier before the Central Administrative Tribunal, Patna Bench, Patna (hereinafter referred to as CAT) for identical relief. The same was disposed of *vide* O.A. No. 72 of 1990 which was decided on 19.03.1991. Thereafter, contempt petition was also filed and it was numbered as C.C.P.A. No. 56 of 1994 and it was dismissed on 03.10.1996.

3. Having regard to the dates and events, the petitioner and others have slept over the matter from the year 1980 till filing of Original Application in the year 1991. Assuming that they had a cause of action in the year 1986, they



had approached the CAT in the year 1991. Petitioner and others are knocking the doors of the CAT time and again. In the light of the cause of action accrued to the petitioner and others in the year 1980 or 1986, they should have pursued the matter seriously with reference to any policy decision of the concerned department to the extent that *ad hoc* employees who have served for about three years to nine years, they are entitled to be brought on temporary status and thereafter absorption. Such circular or policy decision have not been placed on record so as to examine the right of the petitioner. In the absence of pinpointing the legal or vested right to claim for the post or for reinstatement in the year 2009, the petitioner's grievance is highly belated one, therefore, no interference is called for insofar as order of CAT dated 04.05.2011 passed in O.A. No. - 166 of 2009.

4. Accordingly, present writ petition stands dismissed.

(P. B. Bajanthri, J)

(G. Anupama Chakravarthy, J)

GAURAV S./-

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