

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13736 of 2024

Raj Kamal, S/o Parmeshwar Sinha, resident of Mohalla-Kali Asthan, Shiv Narayanpur, P.O.-Rampur, P.S.-Rampur, District-Bhagalpur (Senior Assistant Loco Pilot, Asansol).

... .. Petitioner

Versus

1. The Union of India through the General Manager, Eastern Railway, 17, Netaji Subhash Road, Kolkata, West Bengal (Pin-700001).
2. The Additional Divisional Railway Manager, Eastern Railway, Asansol, District-Burdwan, West Bengal, Pin-713301.
3. The Senior Divisional Personnel Officer, Eastern Railway, Asansol, District-Burdwan, West Bengal, Pin-713301.
4. The Senior Divisional Electrical Engineer (O and P), Eastern Railway, Asansol, District-Burdwan, West Bengal, Pin-713301.
5. The Senior Divisional Financial Manager, Eastern Railway, Asansol, District-Burdwan, West Bengal, Pin-713301.

... .. Respondents

Appearance :

For the Petitioner/s	:	Mr.Sanjay Kumar, Advocate
For the Respondent/s	:	Dr. K.N. Singh, Sr. Advocate (ASGI)
		Mr. Maurya Vijay Chandra, Advocate
		Mr. Kumar Ravish, CGC
		Mr. Rohit Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 02-05-2025

In the instant case, the petitioner has assailed the order of the Central Administrative Tribunal, Patna Bench, Patna dated 28.07.2023 passed in O.A. No. 050/000549 of 2023. Perusal of the same, it is evident that matter has been disposed of while remanding the departmental enquiry for which petitioner has given his consent. In the guise of implementation



of CAT order dated 28.07.2023, the concerned Authority is stated to have issued Charge Memo afresh. The same cannot be adjudicated in the present *lis*. He has a first Court of instance before the Central Administrative Tribunal in the light of Hon’ble Supreme Court decision in the case of ***L. Chandra Kumar V. Union of India & Ors.*** reported in ***(1997) 3 SCC261*** read with the case of ***S.P. Sampath Kumar V. Union of India*** reported in ***(1987) 1 SCC 124***.

2. Accordingly, Writ petition stands disposed of, reserving liberty to the petitioner to assail subsequent action of the Respondent in accordance with law before the appropriate Forum.

(P. B. Bajanthri, J)

(S. B. Pd. Singh, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	09.05.2025
Transmission Date	NA

