

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No. 15090 of 2025

1. The Union of India through the General Manager, East Central Railway, Hajipur, P.O.- Digghi Kalan P.S. Hajipur (Sadar), District- Vaishali, PIN Code- 844101 (Bihar).
2. The General Manager (Personnel), East Central Railway, Hajipur, P.O. Digghi Kalan, P.S. Hajipur (Sadar), District- Vaishali, PIN 844101 (Bihar).
3. The Principal Chief Operating Manager, East Central Railway, Hajipur, P.O. Digghi Kalan, P.S. Hajipur (Sadar), District Vaishali, Pin 844101 (Bihar).
4. The Divisional Railway Manager, East Central Railway, Din Dayal Upadhyay, District- Chandauli- 232101 (U.P).
5. The Senior Divisional Operating Manager, East Central Railway, Din Dayal Upadhyay, District- Chandauli - 232101 (U.P).
6. The Senior Divisional Personnel Officer, East Central Railway, Din Dayal Upadhyay, District- Chandauli - 232101 (U.P).
7. The Senior Divisional Financial Manager, East Central Railway, Din Dayal Upadhyay, District- Chandauli - 232101 (U.P).

... .. Petitioner/s

Versus

1. Manoj Kumar Gupta Son of Chandradeo Prasad Gupta, Porter, East Central Railway, Din Dayal Upadhyay, District- Chandauli.
2. Ravi Ranjan Kumar, Son of Hargovind Prasad, Porter, East Central Railway, Din Dayal Upadhyay, District- Chandauli.
3. Om Prakash Pal, Son of Rajendra Pal, Porter, MTGE/MGS, East Central Railway, Din Dayal Upadhyay, District- Chandauli.
4. Rajeev Ranjan Kumar, Son of Late Devendra Garai, Porter, East Central Railway, Din Dayal Upadhyay, District- Chandauli.
5. Anuj Kumar, Son of Jai Ram Prasad, Porter, East Central Railway, Din Dayal Upadhyay, District- Chandauli.
6. Ritesh Kumar Yadav Son of Kailash Yadav, Porter/GAQ/MGS, East Central Railway, Din Dayal Upadhyay, District- Chandauli.
7. Manikant Kumar, Son of Ramanand Singh, Porter, East Central Railway, Din Dayal Upadhyay, District- Chandauli.
8. Ajeet Kumar Pal, Son of Kashi Nath Pal, Porter, East Central Railway, Din Dayal Upadhyay, District- Chandauli.



... .. Respondent/s

with
Civil Writ Jurisdiction Case No. 15092 of 2025

1. The Union of India through the General Manager, East Central Railway, Hajipur, P.O. Digghi Kalan P.S. Hajipur (Sadar), District Vaishali, Pin Code- 844101 (Bihar).
2. The General Manager (Personnel), East Central Railway, Hajipur, P.O. Digghi Kalan, P.S. Hajipur (Sadar), District- Vaishali, Pin - 844101 (Bihar).
3. The Principal Chief Operating Manager, East Central Railway, Hajipur, P.O. Digghi Kalan, P.S. Hajipur (Sadar), District Vaishali, Pin 844101 (Bihar).
4. The Divisional Railway Manager, East Central Railway, Din Dayal Upadhyay, District- Chandauli- 232101 (U.P).
5. The Senior Divisional Operating Manager, East Central Railway, Din Dayal Upadhyay, District- Chandauli- 232101 (U.P).
6. The Senior Divisional Personnel Officer, East Central Railway, Din Dayal Upadhyay, District- Chandauli- 232101 (U.P).
7. The Senior Divisional Financial Manager, East Central Railway, Din Dayal Upadhyay, District- Chandauli- 232101 (U.P).

... .. Petitioner/s

Versus

1. Manoj Kumar Son of Late Ram Hari Gope, Porter, East Central Railway, Din Dayal Upadhyay, District- Chandauli.
2. Rajmani Kumar Pandey, Son of Bindeshwari Pandey, Porter, East Central Railway, Din Dayal Upadhyay, District Chandauli.
3. Chandradeep Yadav, Son of Raj Kumar Yadav, Porter, East Central Railway, Din Dayal Upadhyay, District- Chandauli.
4. Rajesh Kumar-II, Son of Ram Chandra Prasad, Porter, East Central Railway, Haider Nagar.
5. Md. Sajid Ansari, Son of Late Md. Iihaur Ansari, Leverman, Porter, East Central Railway, Din Dayal Upadhyay, District- Chandauli.
6. Nilesh Kumar, Son of Kamlesh Prasad Singh, Porter, East Central Railway, Din Dayal Upadhyay, District- Chandauli.
7. Satish Kumar Singh, Son of Badri Narayan Singh, Porter, East Central Railway, Din Dayal Upadhyay, District- Chandauli.
8. Satya Prakash Yadav, Son of Nirmal Yadav, Porter, East Central Railway,



Din Dayal Upadhyay, District- Chandauli.

9. Vishwa Mohan Kumar, Son of Lalit Vijay Singh, Leverman, Porter, East Central Railway, Din Dayal Upadhyay, District Chandauli.
10. Ranvir Kumar, Son of Nasib Singh, Porter, East Central Railway, Din Dayal Upadhyay, District Chandauli.
11. Pawan Kumar Saha, Son of Tapan Saha, Shuntman, Porter, East Central Railway, Din Dayal Upadhyay, District- Chandauli.

... .. Respondent/s

Appearance:

(In Civil Writ Jurisdiction Case No. 15090 of 2025)

For the Petitioner/s : Mr. Kumar Priya Ranjan, Sr. Panel Counsel
Mr. Kumar Gangesh Gunjan, Advocate, C.G.C.

For the Respondent/s : Mr.

(In Civil Writ Jurisdiction Case No. 15092 of 2025)

For the Petitioner/s : Mr. Kumar Priya Ranjan, Sr. Panel Counsel
Mr. Kumar Gangesh Gunjan, Advocate, C.G.C.

For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

and

HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH)

2 25-11-2025 Though the aforesaid two writ petitions have been preferred against the order dated 29.05.2025 passed by the learned Central Administrative Tribunal, Patna Bench, Patna (hereinafter referred to as the 'learned CAT'), in O.A. No. 050/01120/2019 and O.A. No. 050/01191/2019, however at the outset the learned counsel appearing for the petitioners has not disputed the fact that the judgment relied upon by the learned



CAT in the impugned order dated 29.05.2025 i.e. the one passed by the learned CAT on 02.06.2017 in O.A. No. 582 of 2013 (***Md. Yaqub Ansari & Ors. vs. The Union of India & Ors.***), has not only been upheld by the learned Division Bench of this Court vide judgment dated 14.11.2017, passed in C.W.J.C. No. 15010 of 2017 (***The Union of India & Ors. vs. Md. Yaqub & Ors.***) but has also been upheld by the Hon'ble Apex Court by an order dated 13.07.2018, passed in SLP (c) No. 020239 of 2018.

2. At this juncture, it may be relevant to reproduce the operative portion of the judgment dated 14.11.2017 rendered by the learned Division Bench of this Court in the case of ***Md. Yaqub Ansari & Ors.*** (supra) herein below:-

“So long as the Constitution Bench judgment of the Hon'ble Supreme Court rendered in M. Nagraj Vs. Union of India reported in (2006)8 SCC 212 stands, benefit of reservation in promotion cannot be granted.

The Tribunal therefore has applied the principles and set aside the panel and directed the Railways to redraw the panel without giving the benefit of reservation to the scheduled castes and scheduled tribes candidates in the matter of grant of promotion from the post of Class-D post.

Similar view of the Tribunal has also been upheld by the High Court and, therefore, no interference is warranted with the decision of the Tribunal in the present writ



application.

The Court also deprecates the conduct of the Railways authorities because they seem to be committing same kind of abrasion time and again which only shows that they have no respect for law. In fact the Court was inclined to impose exemplary cost upon the Railways for such repeated violations which are not condonable.

In view of the above, writ is dismissed. Let the order of CAT be complied forthwith.”

3. In view of the aforesaid, we find that the learned counsel for the petitioners is not in a position to differ with the applicability of the aforesaid judgment rendered by the learned CAT in the case of ***Yaqub Ansari & Ors.*** (supra) as upheld by a coordinate Bench of this Court as also by the Hon’ble Apex Court, consequently has not been able to put forth any ground to assail the validity, correctness and legality of the impugned order dated 29.05.2025.

4. Having regard to the facts and circumstances of the case and having heard the learned counsel for the petitioners, we find that the impugned order dated 29.05.2025 has been rendered by the Ld. CAT by relying on a judgment passed by the Ld. CAT in the case of ***Yaqub Ansari & Ors.*** (supra), which has not only been upheld by a coordinate Bench of this Court but also by the Hon’ble Apex Court, hence there is no legal infirmity in the



impugned order dt. 29.05.2025, passed by the Ld. CAT, thus the aforesaid two writ petitions being bereft of any merit are dismissed.

5. At this juncture, the learned counsel for the petitioners submits that the learned CAT has prescribed three months' time for implementing the order dt. 29.05.2025, which has already expired, hence the petitioners be granted further three months' time for implementing the said order dated 29.05.2025. Time, so sought, is granted.

(Mohit Kumar Shah, J)

(Soni Shrivastava, J)

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