

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL WRIT PETITION NO. 10705 OF 2025

Union of India

.... Petitioner

Versus

Arun P. Attarde and Ors.

...Respondents

Mr. Neel Helekar a/w. Mr. Akash Kotecha for the Petitioner.
Mr. Samir Singh for Respondent No.1.

CORAM : SUMAN SHYAM &
SHYAM C. CHANDAK, JJ.
DATED : 25th AUGUST, 2025

P.C. :-

. Heard Mr. Helekar, learned Counsel for the Petitioner and Mr. Singh, learned Counsel for Respondent No.1.

2) Issue notice to the Respondents, returnable on **03rd November, 2025**. Mr. Singh, learned Counsel waives notice on behalf of the Respondent No.1.

3) Mr. Helekar, learned Counsel for the Petitioners submits that the impugned Judgment and Order dated 17/09/2024 passed by the learned CAT is entirely based on **Union of India and others v/s. S.K. Kapoor (2011) 4 SCC 589**, which decision is under reconsideration before a Larger Bench of the Hon'ble Supreme Court.

4) The learned Counsel for the Petitioner has submitted that since

the Judgment of the learned CAT is on a hypertechnical ground, the impugned Judgment be set-aside and the matter be remanded for a fresh decision in the O.A. on merit. He has also pointed out that a contempt proceeding has been initiated against the Railway Officials and therefore, an urgent ad-interim Order of stay of the impugned Judgment, is called for in this case. The said prayer has, however, been strongly resisted by Mr. Singh, learned Counsel for the Respondent No.1.

5) Having heard the learned Counsel for both the sides, we are of the view that the matter deserves expeditious hearing and disposal. As such, post this matter again on **03rd November, 2025** under the caption '**for hearing**' – **high on board**.

6) As an ad-interim measure, it is provided that the operation of the impugned Judgment shall remain suspended till the next date.

(SHYAM C. CHANDAK, J.)

(SUMAN SHYAM, J.)

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