

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No. 14478 of 2025

Rahul Kumar Son of Rajnandan Pandey, Resident of Village Ramibigha, P.O-Konand, P.S- Asthawan, Dist.- Nalanda at Biharsharif.

... .. Petitioner/s

Versus

1. The Union of India through the General Manager, East Central Railway Zone, Dighi, Hajipur.
2. The Director Establishment (N) II, Railway Board, Government of India, Ministry of Railways, Railway Recruitment Boards, New Delhi.
3. The General Manager, South Eastern Railway, Railway Recruitment Cell, 11, Garden Reach Road, Kolkata.
4. The Chairman, Railway Recruitment Cell/SER, South Eastern Railway, Railway Recruitment Cell, 11, Garden Reach Road, Kolkata.
5. The Chief Personal Officer, South Eastern Railway, 11, Garden Reach Road, Kolkata.
6. The Divisional Railway Manager, Railway Recruitment Board, South Eastern Railway, Ranchi.

... .. Respondent/s

Appearance :

For the Petitioner : Mr. Sanjay Kumar Pandey, Advocate
Mr. Shashi Kant Mudgal, Advocate
For the Respondents : Mr. Amarendra Nath Verma, Sr.P.C.
Ms. Surbhi Bhushan, J/C to Sr.P.C.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

and

HONOURABLE MR. JUSTICE RANA VIKRAM SINGH

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH)

Date: 13-07-2026

The present writ petition has been filed challenging the order dated 07.03.2025 passed by the learned Central Administrative Tribunal Patna Bench, Patna (hereinafter referred to as 'the learned CAT') in O.A. No. 050/00160/2025



whereby and whereunder the original application filed by the petitioner has been dismissed.

2. The brief facts of the case according to the petitioner herein are that the respondents had published a notification dated 10.02.2018 bearing Centralized Employment Notice (CEN) No. 02 of 2018, in the daily newspaper as well as on the official website of the Railway Recruitment Board for making recruitment to various posts in Level 1 of 7th C.P.C Pay Matrix. The closing date and time of the online application was 12.03.2018 up to 23:59 hours. The petitioner had filed an application in pursuance to the aforesaid advertisement by the online mode under the unreserved category for the post of Hospital Attendant, category No. 25 as also for the post of Assistant pointsman, category No. 26, before the Railway Recruitment Board, Ranchi. The petitioner had then received e-call letter for computer-based test and was allotted examination center at KIPM College of Engineering and Technology, Gorakhpur, Uttar Pradesh fixing 28.09.2018 as the date of examination, wherein the petitioner had appeared and had passed the same, whereupon he was issued admit card by the Railway Recruitment Board, South-Eastern Railway, Ranchi for physical test. The PET exam was held on 25.03.2019 at about 6:30 a.m. at SERSA Stadium, South Side, Kharagpur, West



Bengal, wherein also the petitioner had appeared and had successfully competed the physical test organized by the Railway Recruitment Board.

3. It is the case of the petitioner that though he had passed all the exams successfully, however unfortunately when the respondents had issued admit card for document verification on 02.09.2022 and further reminder was also given to him, he could not download the admit card for verification of his documents in time in as much as he had met with a serious accident and was admitted at Bhagwan Mahavir Aayurvigyan Sansthan Hospital, Pawapuri, Nalanda on 30.08.2022. In fact, the mobile of the petitioner was also damaged in the said accident on account of which he could not get information regarding the date on which document verification was to be conducted by the Railway Recruitment Board.

4. It is the further case of the petitioner that after recouping from his accident, the petitioner had got his mobile phone repaired and then he had checked his e-mail, whereupon he found that one e-mail was sent to him by the Railway Recruitment Board for document verification, however on account of the petitioner having met with an accident and he having been admitted in a hospital, he could not see the e-mail



resulting in him being not able to know the date and time fixed for physical document verification. The petitioner is then stated to have filed an application on 25.10.2022, before the Deputy General Manager, South-Eastern Railway, Garden Reach Road, Kolkata for consideration of his case for verification of documents, however he did not receive any response leading to the petitioner filing an original application bearing O.A. No. 050/0051/2024 before the learned CAT, inter alia praying therein to direct the respondents to verify the documents of the petitioner for the purposes of appointing him on the post of Hospital Attendant/ Assistant pointsman under the South-Eastern Railway. The Ld. CAT by an order dt. 09.02.2024 had without entering into the merits of the case directed the competent authority to provide an opportunity of hearing to the petitioner and decide his pending representation by passing a reasoned and a speaking order within 90 days of the date of receipt of a certified copy of the order.

5. The respondents had then granted personal hearing to the petitioner, which is not denied by the petitioner, whereafter the competent authority, upon hearing the petitioner had passed a reasoned order dated 13.09.2024, noting therein that though the document verification was scheduled for 05.9.2022 and call-



letter was issued to the petitioner to appear for document verification on 05.09.2022 at 9:30 a.m. but the petitioner had remained absent. Thereafter, another opportunity was given to the petitioner along with other absentee candidates for document verification to be held on 27.09.2022, however again the petitioner had remained absent. It has also been stated in the said order dt. 13.09.2024 that personal hearing of the petitioner was held with the Chairman, RRC on 24.07.2024 at Railway Recruitment Cell, South-Eastern Railway in obedience to the order dated 09.02.2022 passed by the Ld. CAT and during the course thereof, it transpired that the petitioner had filed an application for reconsideration of his case only on 21.08.2023 as also he had admitted that he had not sent any application on 25.10.2022. Thus, the petitioner had neither brought to the notice of the competent authority about not attending the first document verification held on 5.9.2022 nor about non-attending the supplementary document verification held on 27.09.2022 prior to closing of the recruitment process on 25.10.2022.

6. Therefore, while mentioning in the order dated 13.9.2024 that a notice had been issued on 25.10.2022 on the website of RRC/SER/ERC mentioning that RRC/SER has closed the recruitment process under CEN/02/2018 and there



will be no further document verification against the concerned notification, the competent authority had come to a finding that since the empanelment against notification no. CEN/02/2018 had already been closed on 25.10.2022 & the petitioner had not informed the Railway Administration prior to such closer of the recruitment process, there is no scope at this stage to consider the candidature of the petitioner for further processing against notification CEN/02/2018 which has already stood closed.

7. The learned counsel for the petitioner has submitted that the petitioner had filed an application before the competent authority on 25.10.2022 which is annexed at running page no. 99 of the present writ petition, however, the same was not considered and the same has caused great prejudice to the petitioner in view of the fact that though he has passed all levels of examination, he has not been able to obtain appointment merely because he could not appear for document verification. Thus, it is submitted that a sympathetic view be taken and the petitioner be granted at least one more opportunity to appear for document verification.

8. Per contra, the learned counsel appearing for the respondents has submitted by referring to the records of the case that it is not in dispute that the advertisement was issued vide



notification dated 10.02.2018, whereafter the petitioner had applied for being appointed to the post of Hospital Attendant/ Assistant pointsman and then he had passed the computer based test held on 28.09.2018 as also had qualified in the PET examination which was held on 25.03.2019 but despite an e-mail dated 02.09.2022 having been sent to the petitioner, informing him to appear for document verification on 05.9.2022 and 06.09.2022, the petitioner did not appear for document verification. Thereafter, the petitioner was informed about the supplementary document verification to be held on 27.09.2022 but he again did not appear. Nonetheless, since the petitioner had filed an original application before the learned CAT bearing O.A. No. 51/2024 and the Ld. Tribunal by an order dated 09.02.2024 had directed the respondents to grant personal hearing to the petitioner and pass a reasoned and a speaking order, the competent authority of the respondents had granted personal hearing to the petitioner wherein he had admitted that he had never filed any representation on 25.10.2022 since he was on bed rest for six months starting from 30.08.2022 and the first representation was filed by his only on 21.08.2023. Therefore, the fact remains that since the recruitment process pertaining to notification no. CEN 02/2018 had stood closed on 25.02.2022, the case of the petitioner could not be considered



since no selection process was in existence after 25.10.2022. Thus, it is submitted that the petitioner has got no case at all and the learned CAT has rightly dismissed his original application.

9. We have heard the learned counsel for the parties at length and we find that the facts of the present case lie in a narrow compass, inasmuch as the respondents had issued a notification bearing CEN 02/2018 on 10.02.2018 for making selection to various posts, pursuant whereof the petitioner had filed an application for being appointed to the post of Hospital Attendant/ Assistant pointsman, whereafter he had passed the computer based test as also had successfully completed the PET examination but upon an e-mail dated 02.09.2022 having been sent to the petitioner for appearing for document verification before the competent authority on 05.09.2022 and 06.09.2022, the petitioner had failed to appear, nonetheless a fresh notice was issued by the respondents to the absentee candidates including the petitioner herein, granting them one more opportunity to appear for document verification on 27.09.2022, but again the petitioner did not avail the said opportunity and did not appear for document verification.

10. The records would bear it out that though the petitioner had met with an accident on 30.08.2022, however he



did not make any effort to approach the respondents prior to the closing of the recruitment process on 25.10.2022, for being granted an opportunity to appear for document verification. Now coming to the purported representation dated 25.10.2022, stated to have been filed by the petitioner, enclosed at running page no. 99 of the brief, addressed to the Deputy General Manager, South-Eastern Railway, Kolkata, a bare perusal of the same would show that there is no proof of the same having been received by the respondents, thus no reliance can be placed upon the same and moreover, the petitioner has admitted in writing before the Chairman, Railway Recruitment Cell, South-Eastern Railway, during the course of personal hearing that he had never filed any representation on 25.10.2022 since he was on bed rest for six months starting from 30.08.2022 and the first representation was filed by his only on 21.08.2023.

11. The records would also show that the recruitment process pertaining to notification bearing CEN 02/2018 had come to an end on 25.10.2022, prior to which the petitioner had admittedly not taken any steps by filing any representation for enabling him to appear for document verification. Therefore, since the recruitment process pertaining to notification no. CEN 02/2018 has admittedly stood closed on 25.02.2022, the case of



the petitioner could not be considered since no selection process was in existence after 25.10.2022.

12. Thus, now in the year 2026, the petitioner cannot be granted any premium for his lapses inasmuch as admittedly the petitioner had failed to appear for document verification before the competent authority not once but twice, though admittedly he had been informed well in time, apart from him having also failed to approach the respondent authorities for grant of an opportunity to appear for document verification prior to the closer of the recruitment process on 25.10.2022.

13. Yet, another issue which may be of some importance in the present case is that though the petitioner had failed to appear for document verification on the dates fixed, i.e. 05/06.09.2022 and 27.09.2022, however he had approached the learned CAT belatedly in the first round of litigation in the year 2024, only after closer of the recruitment process on 25.10.2022, leading to his case being remanded back to the respondent authorities for deciding his pending representation, but we cannot lose sight of the fact that the said original application bearing O.A. No. 51/2024 filed by the petitioner appears to have been disposed of on the very first date of hearing without any response being sought for from the



respondents resulting in the Ld. CAT being not apprised of the fact that the recruitment process had already stood closed on 25.10.2022, otherwise the result would have been different. Now, in the year 2026 after lapse of about four years of closing of the recruitment process on 25.10.2022 and after expiry of about eight years of issuance of advertisement vide notification bearing CEN 02/2018, no relief can be granted to the petitioner, hence we do not find any infirmity in the order dt. 07.03.2025 passed by the learned CAT in O.A. No. 050/00160/2025.

14. Having regard to the facts and circumstances of the case and for the foregoing reasons, we do not find any merit in the present writ petition, thus the same stands dismissed being devoid of any merit.

(Mohit Kumar Shah, J)

(Rana Vikram Singh, J)

smriti/Prakash

AFR/NAFR	AFR
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Uploading Date	
Transmission Date	

