

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No. 1591 of 2026

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1. Mantu Kumar, Gender – Male, Son of Ganesh Sah, Resident of Mohalla-
Gulzar Pokhar Town - Munger, P.S.- Munger, District- Munger.
 2. Kamala Devi, Gender – Female, Wife of Ganesh Sah, Resident of Mohalla
Gulzar Pokhar, Town Munger, P.S. - Munger, District- Munger.

... .. Petitioner/s

Versus

1. The Union of India through the General Manager, Central Railway, Mumbai
CSMT. Maharashtra-400001.
2. The General Manager, Central Railway, Mumbai, CST Maharastra 400001
3. The Divisional Rail Manager (P), Central Railway Division, Divisional
Office Personnel Branch, Mumbai CSMT, Pin Code-400001
4. The Senior Section Engineer, Pathway, Central Railway, Thane, Mumbai Pin
Code 400601.
5. The Assistant Personnel Officer, Central Railway CSMT, Mumbai,
Maharashtra- Pin Code-400001

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Siya Ram Shahi, Advocate Mr. Om Prakash Maharaj, Advocate
For the Union of India	:	Mr. Deepak Kumar, Sr. CGC Mr. Anwar Karim, CGC

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

and

HONOURABLE MR. JUSTICE RANA VIKRAM SINGH

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH)

Date: 15-07-2026

The present writ petition has been filed challenging the order dt. 04.12.2025 passed by the learned Central Administrative Tribunal, Patna Bench, Patna (hereinafter referred to as the ‘Ld. CAT’) in O.A. No.050/00761/2025, whereby and whereunder the



original application filed by the petitioners herein has been dismissed by the Ld. CAT for want of territorial jurisdiction.

2. The brief facts of the case, according to the petitioners are that the petitioner No.2 – Kamala Devi is the mother of the deceased employee who died in harness on 26.09.2016 while working at Engineering Depot, between Bhandup and NHR Stations in the State of Maharashtra, on account of having met with an accident and being run over by a train. The petitioner No.2 had then *vide* application dated 07.02.2017 proposed the name of her another son, *i.e.* the petitioner No.1 – Mantu Kumar for grant of compassionate appointment in place of her deceased son who had died in harness, however the Divisional Office, Personnel Branch, Mumbai CST *vide* letter dated 22.06.2017 had rejected the request for such compassionate appointment on the ground that the petitioner No.1 was not dependent on his brother. Thereafter, petitioner No.2 had again sent a mercy application dated 03.6.2019 to the General Manager, Central Railway, Mumbai CST along with several documents for appointing petitioner No.1 on compassionate ground, however the petitioners had not received any response.

3. The petitioners being aggrieved by non-action of the respondents, had approached the Ld. CAT, Patna Bench, Patna by



filing original application bearing O.A. No.050/00761/2025, *inter alia* praying therein to direct the respondents to dispose of the aforesaid application dated 03.06.2019, however the Ld. CAT by the impugned order dated 04.12.2025 has been pleased to dismiss the original application for want of territorial jurisdiction.

4. The learned counsel for the petitioners has, at the outset, submitted that the petitioners would be satisfied in case the respondent No.2 *i.e.* the General Manager, Central Railway, Mumbai CST, Maharashtra is asked to dispose of the aforesaid application dated 03.06.2019, filed by the petitioner No.2 for grant of compassionate appointment to the petitioner No.1, however in case the grievances of the petitioners are not redressed, the petitioners shall, thereafter approach the appropriate Bench of the Ld. CAT having competent jurisdiction, *i.e.* the Mumbai Bench.

5. *Per contra*, the learned counsel for the respondents has though opposed the present petition on the issue of being barred by territorial jurisdiction, however he is not averse to the idea of the respondent No.2 disposing of the aforesaid application dated 03.06.2019, filed by the petitioner No.2.

6. Having regard to the facts and circumstances of the case, we request the respondent No.2 to consider the aforesaid application dated 03.06.2019 (Annexure-A/9 to the original



application), filed by the petitioner No.2, which can be found at running page No.78 of the brief and pass a reasoned and a speaking order, preferably within a period of six weeks of receipt/ production of a copy of this order, however it is clarified that in case of any subsisting grievance, the petitioners shall be at liberty to approach the Ld. Central Administrative Tribunal, Mumbai Bench.

7. Accordingly, the present writ petition stands disposed of.

(Mohit Kumar Shah, J)

(Rana Vikram Singh, J)

GAURAV S./-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	17.07.2026
Transmission Date	

