

S/L 07
03.07.2026
Court No.04
B.K.N

F.M.A. 337 of 2021
With
CAN 1 of 2022
Pintu Kumar
Vs.
Union of India & Ors.

Mr. Achin Kr. Majumder,
Mr. Ananya Adhikary

...for the Appellant.

Ms. Sabita Roy

...for the Respondents.

1. Heard the learned advocate for the appellant.
2. We find that the selfsame order of the Writ Court, which is under appeal in the present Intra Court Appeal was upheld by the Hon'ble Supreme Court of India in specific terms in SLP(C) No. 1134-1135/2020 by an order dated 11.08.2021 annexed to the supplementary affidavit filed by the present appellant.
3. The occasion for the Hon'ble Apex Court to consider the judgment of the Hon'ble Single Judge arose because the respondent Railway preferred an appeal against the very same order of the Hon'ble Single Judge dated 12.12.2018 in W.P. 25140(W) of 2016 by way of an Intra Court Appeal. The coordinate Bench interfered with the Hon'ble Single Judge's order which gave rise to SLP(C) No. 1134-1135/2020 by the present appellant. In the SLP filed by the present appellant against the selfsame order of the Writ Court which is under appeal in the present proceeding, the Hon'ble Apex Court has passed

an order dated 11.08.2021, relevant portion of which is extracted hereinbelow:

“After carefully considering the submissions made by the learned counsel for both the parties and the material on record, we set aside the judgment of the Division Bench of the High Court and uphold the judgment of the learned Single Judge of the High Court.

The appeals are accordingly, allowed. Pending application(s), if any, shall stand disposed of.”

4. In view of the specific finding of the Hon’ble Apex Court upholding the judgment under appeal in the present Intra Court Appeal, we find no scope for any consideration left to be accorded by us.
5. The appeal is accordingly disposed of.
6. Pending application, if any, is also disposed of.
7. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Madhuresh Prasad, J.)

(Prasenjit Biswas, J.)