



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO. 2395 OF 2026

Dushyant Bhanudas Patil

.Vs.

Union of India and another

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr C. L. Deharia, Advocate for petitioner/s
Mr Kartik Shukul, DSGI for respondent No. 1

CORAM : ANIL S. KILOR AND RAJ D. WAKODE, JJ.
DATED : 23rd MARCH, 2026.

Heard learned counsel for the petitioner.

2. The learned counsel for the petitioner has invited our attention to the impugned order dated 21.08.2025 passed by the learned Central Administrative Tribunal in Original Application No. 634 of 2024. The aforesaid order has confirmed the fixation of the petitioner in accordance with the penalty order holding that the same has been upheld by the appellate authority so also by the revisionary authority.

3. The learned counsel for the petitioner submits that so far as the period of 10.11.2005 to 16.01.2006 is concerned, the same has been declared as DIES-NON by the Additional Divisional Railway Manager but not as an appellate authority since he ceased to function after the order and thus, the aforesaid order passed by the aforesaid authority as DIES-NON is null and void.

4. The learned counsel for the petitioner has invited our attention to para 4.6 of the Original Application No. 634 of 2024, which is on record at Page 53, wherein the petitioner has raised a such specific ground which challenge the order of penalty so also the order passed by the Appellate Authority and Revisionary authority confirming the same.

5. The learned Tribunal has, however, neither considered the aforesaid ground raised by petitioner nor has dealt with the same in the impugned judgment.

6. In view of the above, the learned counsel for the petitioner, upon instructions, seeks permission to withdraw the present writ petition, with liberty to approach the learned Tribunal by filing the application for review of the aforesaid judgment on the said ground. Permission is granted.

7. The writ petition stands **disposed of**, as withdrawn, with liberty as prayed for. Pending applications, if any, also stand disposed of. No order as to costs.

[RAJ D. WAKODE, J]

[ANIL S. KILOR, J.]

Namrata