

GAHC010101672024



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/2709/2024

ARUN SHARMA
FORMER CONSTABLE, RAILWAY PROTECTION FORCE, N.F. RAILWAY,
DIBRUGARH, S/O- SRI JAI PRAKESH SHARMA, AGED ABOUT- 58 YEARS,
R/O- VILLAGE- KUMEHERA MURADNAGAR, P.O. KUMEHERA, P.S. NIWARI,
PIN- 201206, GHAZIABAD, UTTAR PRADESH

VERSUS

THE UNION OF INDIA AND 8 ORS
TO BE REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF
INDIA, MINISTRY OF RAILWAYS, RAIL BHAVAN, RAISINA ROAD, NEW
DELHI, PIN- 110001

2:THE RAILWAY BOARD
TO BE REPRESENTED BY ITS CHAIRMAN CUM CEO MINISTRY OF
RAILWAYS
UNION OF INDIA
RAIL BHAVAN
RAISINA ROAD
NEW DELHI
PIN- 110001

3:THE DIRECTOR RAILWAY BOARD
RAIL BHAVAN
RAISINA ROAD
NEW DELHI
PIN- 110001

4:THE DEPUTY DIRECTOR
ESTABLISHMENT
RAILWAY BOARD
RAIL BHAVAN

RAISINA ROAD
NEW DELHI
PIN- 110001

5:THE DIRECTOR GENERAL
RAILWAY PROTECTION FORCE
RAIL BHAVAN
RAISINA ROAD
NEW DELHI
PIN- 110001

6:THE INSPECTOR GENERAL CUM PRINCIPAL CHIEF SECURITY
COMMISSIONER
NORTHEAST FRONTIER RAILWAY
MALIGAON
GUWAHATI- 781011
ASSAM

7:THE DISCIPLINARY AUTHORITY CUM DIVISIONAL SECURITY
COMMISSIONER
RPF
NORTHEAST FRONTIER RAILWAY
TINSUKIA
ASSAM

8:THE ENQUIRY OFFICER CUM IPF
NORTHEAST FRONTIER RAILWAY
TINSUKIA
ASSAM
PIN-

9:THE ASSISTANT SECURITY COMMISSIONER
RPF
NORTHEAST FRONTIER RAILWAY
TINSUKIA
ASSAM
PIN

Advocate for the Petitioner : MR I RAFIQUE

Advocate for the Respondent : DY.S.G.I.

**BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA**

ORDER

26.06.2024

Heard Mr. I. Rafique, learned counsel for the petitioner as well as Ms. B. Sarma, learned CGC appearing for the respondents.

The termination of service of the petitioner by order dated 02.03.2024, on the basis of an ex-parte enquiry report dated 17.02.2024, is under challenge in this writ petition filed under Article 226 of the Constitution of India.

Issue notice returnable in 4(four) weeks.

Requisite extra copies of the writ petition be served on the learned CGC in course of the day.

The learned CGC has submitted that against the orders passed for removal of service an appeal is provided in the concerned Service Rules and the alternative remedy has not been availed by the petitioner.

The learned counsel for the petitioner shall address the Court on the availability of alternative remedy on the next date of listing.

List the matter after 4(four) weeks.

JUDGE

Comparing Assistant