

GAHC010266842024



2024:GAU-AS:12941-DB

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

Case No. : WP(C)/6804/2024

K.S.P.V. PAVAN KUMAR, IFS
S/O SHRI K.V.N NAGENDRA SAYEE,
RESIDENT OF C-205, UIVERSAL ECOGREEN APARTMENT, AHOMGAON,
BETKUCHI, GUWAHATI DIST. KAMRUP M ASSAM 781040

VERSUS

1.THE UNION OF INDIA AND 6 ORS.
REPRESENTED BY THE SECRETARY TO THE GOVT. OF INDIA, MINISTRY
OF ENVIRONMENT AND FOREST PARYABARAN BHAWAN, C.G.O
COMPLEX, LODHI ROAD, NEW DELHI 110003

2:THE STATE OF ASSAM
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVT. OF ASSAM
JANATA BHAWAN DISPUR GUWAHATI 781006

3:THE SPECIAL SECRETARY
TO THE GOVT. OF ASSAM
ENVIRONMENT AND FOREST DEPARTMENT
DISPUR GUWAHATI 781006

4:THE SECRETARY
TO THE GOVT. OF ASSAM
ENVIRONMENT AND FOREST DEPARTMENT
DISPUR GUWAHATI 781006

5:THE PRINCIPAL CHIEF CONSERVATOR OF FOREST AND HEAD OF
FOREST FORCE ASSAM PANJABARI GUWAHATI 781037 ASSAM

6:DR. VINAY GUPTA IFS
PRINCIPAL CHIEF CONSERVATOR OF FOREST (WILDLIFE) AND CHIEF
WILDLIFE WARDEN ASSAM PANJABARI GUWAHATI 781037

7:THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH REPRESENTED BY ITS REGISTRAR
RAJGARH ROAD BHANGAGARH GUWAHATI 78100

For the Petitioner : Mr. A. Chakraborty, Advocate.
: Ms. L. Das, Advocate.
For the Respondent(s) : Mr. S.S. Roy, Central Government Counsel for respondent
Nos.1 & 7.
: Mr. P.N. Goswami, Additional Advocate General, Assam assisted
by Mr. U. Pathak, Advocate for respondent Nos.2, 3, 4 and 5.

– BEFORE –
HON'BLE THE CHIEF JUSTICE MR. VIJAY BISHNOI
HON'BLE MR. JUSTICE KAUSHIK GOSWAMI

19.12.2024

(Vijay Bishnoi, CJ)

This writ petition is filed by the petitioner being aggrieved with the order dated 18.11.2024 passed by the Central Administrative Tribunal (hereinafter referred as 'CAT'), Guwahati Bench in Original Application (in short, O.A.) No.263/2024.

The petitioner has approached the CAT raising a grievance that the respondents have illegally refused to promote him from the post of Additional Principal Chief Conservator of Forests to Principal Chief Conservator of Forests and instead promoted respondent No.6 though he is junior to him.

The CAT, while admitting the O.A., preferred by the writ petitioner, has fixed the matter on 16.01.2025 granting time to the counsel for the respondents to file their written statement and liberty to the petitioner to file rejoinder to the same, if desired so. The CAT has also observed that any Promotional Order so issued that involves the applicant *per se* will be subject to the outcome of this O.A.

Mr. A. Chakraborty, learned counsel for the petitioner has submitted that the CAT has not made the promotion of the respondent No.6 subject to the outcome of this O.A.

We are of the view that the observation of the CAT to the effect that any Promotional Order so issued that involves applicant *per se* will be subject to the outcome of this O.A. is very clear which means that the proceedings of promotion undertaken by the respondent Department would remain subject to the outcome of the O.A. preferred by the petitioner. Hence, no interference is called for.

This writ petition is, accordingly, dismissed at the motion stage itself.

JUDGE

CHIEF JUSTICE

Comparing Assistant