



2026:UHC:4771-DB

HIGH COURT OF UTTARAKHAND AT NAINITAL

**THE HON'BLE CHIEF JUSTICE SHRI MANOJ KUMAR GUPTA
AND**

THE HON'BLE JUSTICE SHRI SUBHASH UPADHYAY

15th June, 2026

Writ Petition (S/B) No. 257 of 2026

Sushanta Kumar Pattnaik

-----Petitioner

Versus

Union of India and others

-----Respondents

Presence:-

Mr. Dushyant Mainali, learned counsel for the petitioner.

Mr. Saurav Adhikari, learned Standing Counsel for Union of India.

Mr. B.S. Parihar, learned Additional CSC with Mr. J.C.Pande, learned Standing Counsel for the State.

Mr. Aditya Pratap Singh, learned counsel for respondent no.3.

JUDGMENT: (per Manoj Kumar Gupta, C.J.)

1. The present writ petition has been filed assailing the order dated 17.03.2026 passed by Principal Bench, CAT, New Delhi, in MA No.4359 of 2025 in OA No.3948 of 2024, whereby the prayer of the petitioner for posting him as Member Secretary, Uttarakhand Pollution Control Board at level 15 on deputation, as per deputation order dated 25.04.2023, has been rejected. The parties were directed to exchange their affidavits and the main matter was posted for 20.05.2026.

2. The petitioner is an Officer of Uttarakhand Cadre of the Indian Forest Service. By order dated 25.04.2023, he was transferred on deputation as



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Member Secretary, Uttarakhand Pollution Control Board. Subsequently, on the ground of certain inquiry being held against the petitioner by the Local Complaint Committee under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, he was attached, by order dated 25.01.2024, to the office of Principal Chief Conservator of Forest. By order dated 06.01.2026, the deputation of the petitioner was cancelled with effect from 25.01.2024, the date of his attachment to the office of the Principal Chief Conservator of Forest. The petitioner challenged the said order dated 06.01.2026 by filing the Claim Petition bearing OA No.3948 of 2024. During the pendency of the said petition, the petitioner applied for grant of ad-interim order in his favour so as to enable him to continue working on the deputation post of Member Secretary in Uttarakhand Pollution Control Board at level 15. The said application has been rejected by the Tribunal by impugned order dated 17.03.2026 observing that the petitioner has failed to make out any *prima facie* case and also on the ground that grant of any interim order will amount to granting the final relief to the



petitioner.

3. It is not disputed before us that even otherwise, the three years period of deputation of the petitioner has expired in the month of April, 2026, and, as such, the prayer for grant of any interim relief does not survive.

4. Learned State Counsel has also placed on record the instructions received from the Department to the same effect.

5. Learned counsel for the petitioner very fairly admitting the said factual position submits that the Tribunal while deciding the application for interim relief has made certain observations adverse to the petitioner and which are likely to prejudice his case on merits. He submits that the Tribunal be directed to decide the main matter without being influenced by the observations made in the order under challenge.

6. The learned State Counsel has no objection, in case, the said clarification is made.

7. Accordingly, without interfering with the order of the Tribunal dated 17.03.2026, the writ



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petition is disposed of with the observation that the Tribunal while deciding the main matter shall not be influenced by any observation made by it in its order dated 17.03.2026.

8. Pending application, if any, also stands disposed of.

(MANOJ KUMAR GUPTA, C.J.)

(SUBHASH UPADHYAY, J.)

Dated: 15.06.2026
Kaushal/PP