

HON'BLE SRI JUSTICE DILIP B. BHOSALE
AND
HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO
WRIT APPEAL No. 941 OF 2007

JUDGMENT: (per the Hon'ble Sri Justice Dilip B. Bhosale)

This writ appeal is directed against the order dated 25-06-2007 passed on WPMP No.12178 of 2004 and WVMP No.900 of 2005 in Writ Petition No.9528 of 2004, whereby the respondent's prayer for interim order was made absolute and the vacate stay petition filed by the appellants came to be dismissed.

The writ petition was directed against the order dated 11-06-2003 passed by the General Manager, Telecom District, Karimnagar, whereby the respondent was removed from service. The learned single Judge passed an order of status quo pending the hearing and final disposal of the writ petition. Against that order, the appellants filed the instant writ appeal. On 14-11-2007, this Court directed to continue the order of status quo as regards the service of the respondent as on the date of order. We are informed that by virtue of the order of status quo passed in writ petition and then in the instant writ appeal, the respondent is working till today as a Telephone Mechanic.

In the meanwhile, on 04-09-2013, the learned single Judge, passed the following order in the writ petition:

“The petitioner is said to be a Telephone Mechanic. In view of the Notification dated 31-01-2008 issued by the Ministry of Personnel, Public Grievances and Pensions, Government of India, the respondents-Department is included within the jurisdiction of the Central Administrative Tribunal, Hyderabad. Consequently, this writ petition deserves to be transferred to the Central Administrative Tribunal, Hyderabad for disposal.

2. Accordingly, this writ petition is transferred to the Central Administrative Tribunal, Hyderabad, under Section 29(2) of the Central Administrative Tribunal Act, 1985 for disposal according to law. The interim order of status quo granted on 15-6-2004 in W.P.M.P.No.12178 of 2004 shall

be continued till the first hearing of the case before the Central Administrative Tribunal, Hyderabad.”

In view of the above order, we are informed that the matter is now pending before the Central Administrative Tribunal, Hyderabad. In view thereof, we find no reason to keep the writ appeal pending any further and we are satisfied that the following order shall meet the ends of justice:

“The order of status quo, granted by this Court on 14-11-2007, on the miscellaneous petition filed by the appellants, shall remain operative till the matter, pending before the Central Administrative Tribunal, is disposed of. It is made clear that this Court has not examined merits of the case. The Central Administrative Tribunal shall endeavour to dispose of the case, as expeditiously as possible, and preferably within a period of six months from the date of receipt of this order. All contentions on merits are kept open. The appellants are directed to communicate this order to the Central Administrative Tribunal within a period of four weeks from today.”

With these observations, the writ appeal is disposed of. Miscellaneous petitions, if any, also stand disposed of. No order as to costs.

DILIP B. BHOSALE, J

A. RAMALINGESWARA RAO, J

20-04-2015

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