

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 5643 of 2016**

1. Union Of India Through Secretary, Ministry Of Post, Shastri Bhawan, New Delhi, Pin Code- 110001
2. Director, Post Services, Chhattisgarh Circle, Raipur, Department Of Posts, Office Of The Chief Post Master General, Chhattisgarh Circle, Raipur, -492001 (Chhattisgarh)
3. Superintendent Of Post Offices, Office Of Superintendent Of Post Offices, Raigarh, District Raigarh (Chhattisgarh) Pin Code 496001
4. Post Master, Raigarh Head Quarter, Office Of Post Master, Raigarh, Head Quarter, District Raigarh (Chhattisgarh) Pin Code 496001
5. Y. R. Sinha, S/o Late Laxman Sinha, Aged About 57 Years Working As Superintendent Of Post, Raigarh, District Raigarh, (Chhattisgarh) R/o Quarter No.1, Postal Colony Kotra Road Raigarh, (Chhattisgarh)

---- Petitioners**Versus**

- G. S. Saitandey S/o Shri Kripa Ram Saitandey, Aged About 45 Years Occupation- Sub Post Master, S P M Raigarh, S B Raigarh, P.S. Raigarh, District Raigarh, (Chhattisgarh)

---- Respondent

For Petitioners	:	Shri NK Vyas, Advocate
For Respondent	:	Ms. Deepali Pandey, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra
Hon'ble Shri Justice Anil Kumar Shukla

Order On Board**By Prashant Kumar Mishra, J****17/10/2016**

1. Petitioners have assailed the legality and validity of the interim order passed by the Central Administrative Tribunal (for short 'the Tribunal'), Jabalpur Bench on 14.06.2016 in O.A. No.203/00612/2016, whereby the Tribunal has

directed that the respondent shall continue at his present place of posting i.e. at SPM, Raigarh till further orders.

2. The issue pertains to validity of the transfer order dated 08.04.2016, whereby the respondent was transferred from SPM, Raigarh SB to SPM, Lailunga, on administrative grounds. Initially the original application No.203/00487/2016 was preferred to assail the transfer order which was disposed of on 29.04.2016, directing the petitioners to decide the representation. The said representation was rejected on 10.06.2016, pursuant to which the fresh original application was filed wherein the impugned interim order has been passed.
3. Shri N.K. Vyas, learned ASG, would contend that on the date of passing of the impugned order, the respondent was already relieved, therefore, the Tribunal should not have passed the interim order, which has the effect of maintenance of *status quo* ante. He would also contend that the original application is yet to be decided finally, however, in the meanwhile the respondent has initiated contempt proceedings against petitioner No.5.
4. Ms. Deepali Pandey, learned counsel for the respondent, would support the impugned order.
5. Having considered the rival submissions and on perusal of the papers, it appears, the impugned order being interim in nature and the main petition remaining pending before the Tribunal, it would be appropriate if the Tribunal proceeds to decide the matter finally at the earliest. At this stage, it is informed that the Tribunal would be holding its sitting at Bilaspur (C.G.) in the next week.
6. In view of the above, the writ petition is disposed of with observation that the

Tribunal shall consider and decide the original application finally at the earliest, preferably within a period of two months from today.

7. Till the original application is decided, the proceedings in the contempt petition initiated by the respondent shall remain stayed. Depending upon the outcome of the original application, proceedings of the contempt petition shall be revived thereafter.

Sd/-

Judge
Prashant Kumar Mishra

Sd/-

Judge
Anil Kumar Shukla

Ashu