

**THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE M. SEETHARAMA MURTI**

WRIT PETITION No.28093 of 2016

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ORDER: (per Hon'ble Sri Justice Sanjay Kumar)

Heard Mr. Koneti Raja Reddy, learned counsel for the petitioner, and Ms. T. Bala Jayasree, learned Standing Counsel for respondents

1 to 4.

This writ petition is sought to be maintained against the order sheet dated 27.07.2016 in O.A.No.020/00761/2016 on the file of the Central Administrative Tribunal, Hyderabad Bench, whereby the Tribunal recorded the fact that Mr. S.M. Patnaik, learned Standing Counsel, took notice on behalf of the respondents and sought four weeks time to file a reply. The matter was accordingly adjourned to 24.08.2016.

In the light of the law laid down by the Supreme Court in

L. Chandra Kumar v. Union of India^[1], it is not open to the petitioner to straightaway seek recourse to the extraordinary jurisdiction of this Court under Article 226 of the Constitution in relation to a service dispute which has to be first adjudicated by the Tribunal concerned constituted under the Administrative Tribunals Act, 1985.

Unless an adjudicatory order is passed by the Tribunal, it would not be open to an applicant before such Tribunal who is aggrieved by such order to come before this Court by way of a writ petition. An adjournment granted to the learned Standing Counsel for the respondents to file a reply does not manifest any application of mind by the Tribunal embodying a decision or adjudication on its part to either grant or refuse interim relief.

In such circumstances, this writ petition is not maintainable and is accordingly dismissed as such.

Pending miscellaneous petitions, if any, shall also stand

dismissed. No order as to costs.

SANJAY KUMAR, J

M. SEETHARAMA MURTI, J

Date:23.08.2016

GJ

[\[1\]](#) (1997) 3 SCC 261