

THE HON'BLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION No.8000 OF 2016

ORDER:

This Writ Petition, filed under Article 226 of the Constitution of India, challenges the order bearing No.341007PT/130115/AA, dated 13.01.2015 passed by the 2nd respondent transferring the petitioner from Military Hospital, Golconda, Hyderabad to 402, Field Hospital, Assam.

2. Heard Sri K.Sudhakar Reddy, learned counsel, appearing for the petitioner and Sri B.Narayana Reddy, learned Assistant Solicitor General, appearing for the respondents.

3. Questioning the impugned order, earlier the petitioner herein filed O.A.No.021/00489/2015 before the Central Administrative Tribunal, Hyderabad Bench, Hyderabad. The Central Administrative Tribunal initially on 10.04.2015 granted an order of *Status quo and* thereafter, extended the said order on 20.04.2015 and 29.04.2015.

4. It is submitted by the learned counsel for the petitioner that when an objection was raised with regard to the maintainability of the said application before the Tribunal, petitioner herein sought permission of the Tribunal to withdraw the said O.A. with a liberty to approach the appropriate forum and the Central Administrative Tribunal permitted the same by way of an order dated 11.03.2016. The case of the petitioner herein is that the 3rd respondent by way of letter dated 01.11.2014 requested the 2nd respondent to consider extension of the tenure of the petitioner by one year. Subsequently after passing the impugned order on 13.01.2015, the 3rd respondent addressed another letter on 20.02.2015 requesting the 2nd respondent to consider the

case of the petitioner sympathetically. According to the learned counsel for the petitioner, no action has been taken on the said letter dated 20.02.2015.

5. It is the further case of the petitioner herein that he is living with his parents at Langer House, Hyderabad and his father is suffering from health disorders and is a chronic anaemic patient who met with an accident and undergoing treatment for the same. It is also the submission of the learned counsel that the petitioner's father underwent operation also recently.

6. Having regard to the nature of controversy and in the facts and circumstances of the case and as the 2nd respondent herein did not consider the request made by the 3rd respondent through letter dated 20.02.2015 so far, this Court deems it appropriate to dispose of the writ petition by directing the 2nd respondent to take appropriate action on the said letter, as per Rules, by fixing some timeframe.

7. For the aforesaid reasons, Writ Petition is disposed of, directing the 2nd respondent herein to take appropriate action on the letter dated 20.02.2015 addressed by the 3rd respondent and pass appropriate orders within a period of two weeks from the date of receipt of a copy of this order. Till the same is considered, *Status quo* as on today shall be maintained by the respondents.

8. Miscellaneous petitions pending consideration, if any, in the Writ Petition shall stand closed in consequence. No order as to costs.

A.V.SESHA SAI, J

14.03.2016

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