

WRIT PETITION No. 6381 OF 2016

Between:

..... Petitioners

And:

.....Respondents

Counsel for the Petitioners: Smt. Pushpinder Kaur

Counsel for Respondent Nos.1 and 2: ...

The Court made the following:

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ORDER *(Per the Hon'ble Sri Justice C.V.Nagarjuna Reddy)*

Feeling aggrieved by order dated 24.03.2015 in O.A.No.020/0017/2014 of the Central Administrative Tribunal, Hyderabad Bench, Hyderabad (for short 'the Tribunal'), the respondents in the said O.A filed this writ petition.

We have heard Smt. Pushpinder Kaur, learned Standing Counsel for Railways appearing for the petitioners and perused the record.

Respondent No.1 has filed the above-mentioned O.A with the grievance that his services as Substitute Bungalow Peon were dispensed with in view of the voluntary retirement of one S.Ramakrishnan, under whom he was appointed as Substituted Bungalow Peon and that he was entitled to be continued in service even after the voluntary retirement of the said S.Ramakrishnan. The petitioners have raised objection relating to jurisdiction of the Hyderabad Bench of the Tribunal by pleading that as the cause of action arose in Bangalore, Hyderabad Bench has no jurisdiction to entertain the dispute. Though the Tribunal found merit in the submission, it however disposed of the O.A by permitting respondent No.1 to make a representation to the authority concerned and with a direction to the latter to consider and pass a speaking order on the representation within 90 days thereafter.

Though we find merit in the submission of the learned Standing Counsel for Railways that the Tribunal ought to have relegated respondent No.1 to Bangalore Bench, we however decline to interfere with the order of the Tribunal for the simple reason that no specific direction was issued by it to the petitioners to pass an order in any particular manner in favour of respondent No.1. Even if respondent No.1 has approached Bangalore Bench, we are sure he would have secured the same order as the impugned order passed by the Tribunal.

In this view of the matter, we are not inclined to interfere with the

impugned order and the competent authority is left free to pass appropriate order on the representation of respondent No.1.

With the above observations, the Writ Petition is dismissed.

As a sequel to dismissal of the Writ Petition, W.P.M.P.No.8122 of 2016 filed by the petitioners for interim relief is dismissed as infructuous.

C.V.NAGARJUNA REDDY, J

ANIS, J

Date: 03.03.2016

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