

*THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE N.BALAYOGI*

WRIT PETITION No.32554 of 2016

ORDER: (per SK,J)

The petitioner is the applicant in O.A.No.945 of 2016 on the file of the Central Administrative Tribunal, Hyderabad Bench. However, as the Tribunal is not in a position to proceed with the said O.A. owing to paucity of Judicial Members, the petitioner filed this writ petition seeking to canvass her grievance raised in the said O.A. in relation to the order dated 31.08.2016 passed by the Additional Director General, Geological Survey of India, Southern Region, Hyderabad, whereby she was visited with the punishment of compulsory retirement from service.

Though this Court has empathy for the plight of the petitioner in relation to her case not being taken up by the Tribunal due to the peculiar fact situation obtaining as on date, the present writ petition cannot be entertained to examine on merits the validity of the order dated 31.08.2016 impugned in the said O.A. The petitioner necessarily has to seek redressal of her grievance in relation to this order before the Tribunal in terms of the law laid down by the Supreme Court in L. Chandra Kumar v. Union of India¹. It is only thereafter that she can approach this Court, if necessary.

That being so, we dismiss the writ petition but request the Tribunal to give priority to the O.A. filed by the petitioner herein as and when the same can be taken up.

Pending miscellaneous petitions, if any, shall also stand dismissed.
No order as to costs.

JUSTICE SANJAY KUMAR

JUSTICE N.BALAYOGI

Date:20.02.2017

GJ

¹ (1997) 3 SCC 261