

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

AND

HON'BLE SRI JUSTICE M.S.K.JAISWAL

WRIT PETITION No.29793 of 2017

Date:04.9.2017

Between:

Dr. M.R.K.Reddy,

S/o M.Balakoti Reddy

..... Petitioner

And:

Union of India, repled by its
Secretary, Indian Council of Agricultural
Research, New Delhi and two others.

.....Respondents

Counsel for the petitioner: Mr. K.Sudhakar Reddy

Counsel for the respondents: Mr. K.Lakshman

Assistant Solicitor General

The Court made the following:

ORDER: *(per Hon'ble Sri Justice C.V.Nagarjuna Reddy)*

The applicant in Original Application No.021/701 of 2017 on the file of the Central Administrative Tribunal, Hyderabad Bench at Hyderabad (for short 'the Tribunal') filed this Writ Petition feeling aggrieved by non-granting of ad-interim order by the Tribunal while granting time to the respondents for filing reply till 06.9.2017.

Mr. K.Sudhakar Reddy, learned counsel for the petitioner, submitted that in pursuance of the earlier order of the Tribunal, respondents No.3 has issued proceedings, vide F.No.1-29/2017-Estt, dated 14.8.2017, wherein, while enclosing revised proposal for revision of cadre strength of Scientific Personnel of Indian Council of Agricultural Research, Directorate of Poultry Research, Hyderabad in Format-I, it is stated that three Scientific Personnel including the petitioner are being continued at the Directorate pending approval of the said revised proposal. The learned counsel has further submitted that on 17.8.2017, the Deputy Secretary of respondent No.1 rejected the petitioner's representation and that, challenging the same, the petitioner has filed the afore-mentioned O.A. and sought for an interim relief.

Learned counsel representing the learned Assistant Solicitor General appearing for the respondents submitted that

the said O.A. is coming up for hearing before the Tribunal on 06.9.2017 on the interim relief claimed by the petitioner.

The grievance of the petitioner is that while adjourning the case to 06.9.2017, the Tribunal ought to have protected his interests as, he is exposed to immediate relieving from the present place of working in pursuance of the earlier transfer order.

In these facts and circumstances of the case, we find justification in the grievance of the petitioner as, non-granting of ad-interim relief may render the entire O.A. itself a fait accompli. Therefore, without expressing any view on the merits of the case, the respondents are directed to maintain *status quo* as on today with regard to continuance of the petitioner at the present place of working till the Tribunal passes appropriate order on the interim relief claimed by him.

Subject to the above direction, the Writ Petition is disposed of.

As a sequel to disposal of the Writ Petition, WPMP.No.37091 of 2017 is disposed of as infructuous.

JUSTICE C.V.NAGARJUNA REDDY

JUSTICE M.S.K.JAISWAL

04th September 2017

DR