

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

AND

THE HON'BLE SMT. JUSTICE K.VIJAYA LAKSHMI

WRIT PETITION No. 32293 OF 2017

DATED 21ST SEPTEMBER, 2017

Between:

Shalindra P Dhan Vijay

... Petitioner

AND

The Union of India,
Rep. by its Secretary to Government,
Department of Ministry of Mines,
Geological Survey of India,
New Delhi and others

... Respondents

Counsel for the petitioner

:

Sri D.Linga Rao

Counsel for the respondents

:

Assistant Solicitor General

THE COURT MADE THE FOLLOWING

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

Feeling aggrieved by non-extension of *interim* order of *status quo* by the Central Administrative Tribunal, Hyderabad Bench, Hyderabad (for short, 'the Tribunal'), the applicant in O.A.No. 21/517/2017 filed this Writ Petition.

2. At the hearing, Sri K.Lakshman, learned Assistant Solicitor General, submitted that in pursuance of the *interim* direction issued by the Tribunal, respondent No. 2 has considered and rejected the petitioner's representation for canceling his transfer to Dimapur, Meghalaya, on 31-07-2017 and that the same was served on the petitioner on 10-08-2017. He has further submitted that though the Tribunal in the impugned order dated 12-09-2017 has not recorded the abovementioned facts, the same was the reason for it to not extend the *interim* order while adjourning the case to 23-10-2017. He has also submitted that on 19-09-2017, the petitioner was relieved. The above said facts have not been disputed by learned counsel for the petitioner.

3. In the light of the above, we are not inclined to entertain this Writ Petition at this stage for adjudication on merits. However, as the O.A. is posted to 23-10-2017 and having regard to the urgency pleaded by the petitioner, the Tribunal is requested to pass a final order either in the O.A. or at least on the *interim* relief claimed by the petitioner on the next date of hearing. In the meantime if the petitioner has reported at the transferred place, the same shall not be understood as his waiving his right to pursue the reliefs sought for in the O.A. and the same however shall be subject to the outcome of the order that may be passed by the Tribunal.

4. Subject to the above observations, the Writ Petition is dismissed.

5. As a sequel to dismissal of the Writ Petition, W.P.M.P.No. 40176 of 2017 shall stand dismissed as infructuous.

C.V.NAGARJUNA REDDY, J.

K.VIJAYA LAKSHMI, J.

Date: 21-09-2017.

JSK

