

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.11382 of 2017.

Date of Decision: May 24, 2017

Ratnesh Kumar

.....Petitioner

versus

Union of India and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: Mr.Puneet Bali, Senior Advocate with
Mr.Vibhav Jain, Advocate, for the petitioner.
Mr.Sanjeev Pandit, Advocate, for the caveator-respondent No.3.

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Surya Kant, J. (Oral)

The instant writ petition assails the interlocutory order dated 10.02.2017 passed by the Central Administrative Tribunal, Chandigarh Bench in the pending Original Application, whereby after detailed discussion, the Tribunal has restrained the official respondents “from filling up the next (10th) vacancy of Chief Engineer Zone which, according the order of the respondents dated 06.01.2017, is to go to Ratnesh Kumar, who is junior to the applicant, till the next date of hearing.”

[2] The petitioner before us is Ratnesh Kumar.

[3] The orders placed on record by the petitioner reveal that the matter has been adjourned on two occasions for the reasons beyond the control of the Tribunal. The Original Application is now listed for arguments on 10.07.2017.

[4] Though the writ petition has been filed on the basis of subsequent events, namely, six vacancies have become available after passing of the above-stated orders and thus the petitioner can be posted without affecting the rights of the respondent-applicant before the Tribunal.

Nevertheless, we are of the view that the entire controversy would stand

resolved once the Tribunal decides the main case on the date fixed.

[5] We thus dispose of this writ petition with a request to the Tribunal to decide the main case on the date fixed, i.e., 10.07.2017. However, in the event of further adjournment due to some unforeseen circumstances, the petitioner shall be at liberty to get the order dated 10.02.2017 modified on the basis of subsequent events, referred to in the writ petition.

Ordered accordingly.

**[SURYA KANT]
JUDGE**

May 24, 2017
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**[HARI PAL VERMA]
JUDGE**

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No