

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18219 of 2021

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1. The Union of India through the Secretary Cum DG, Department of Posts, Dak Bhawan-110001.
 2. The Chief Postmaster General, Bihar Circle, Patna-800001.
 3. The Post Master General, Northern Region, Muzaffarpur-842002.
 4. The Superintendent of Post Offices, Siwan Division, Siwan-841226.
 5. The Inspector of Posts, West Sub-Division, Siwan-841226.

... .. Petitioner/s

Versus

1. Deepu Kumar Singh S/O Shri Sadhu Sharan Singh Resident of Village-Seotapur, P.S.-Mairawa, District-Siwan at Present Working as ABPM at Karom Branch Post Office in account With Mairawa, Sub-Post Office Under Siwan Postal.
5. The Inspector of Posts, The Inspector of Posts, West Sub-Division, Siwan-841226.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE RAJIV ROY
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 20-06-2022

Heard learned counsel for the parties.

In the instant petition, petitioners have prayed for the following relief:

“1. That this is an Application praying for issuance of a Writ in the nature of Writ of certiorari, or any other appropriate Writ order, direction quashing the interim Order dated 06.04.2021 and Modification Order dated 28.05.2021 in O.A. No.175 of 2021 (Annexure-4 and 5, respectively), passed by the Learned CAT, Patna Bench, Patna. By the impugned order dated 06.04.2021, the Learned CAT, Patna Bench, Patna, has been pleased to stay the effect and operation of Letter



dated 19.02.2021 (Annexure-3), till further orders, by which the promotion of the Respondent has been kept in abeyance till the outcome of the Report of the Enquiry Committee constitute to enquire into the illegal engagement of the Gramen Dak Sewak, in Siwan Division by the then inspector of Posts, West Sub-division, Siwan namely Shri Indrajeet Prasad Singh and by Order dated 28.05.2021, the Learned CAT, Patna Bench, Patna has been pleased to modify the earlier Order dated 06.04.2021 and was please to stay the operation of only Part-B of the Memo dated 19.02.2021.”

Undisputedly the present litigation is against the interlocutory order passed by the learned Central Administrative Tribunal. During pendency of the present petition on 28.05.2021, O.A. No.175 of 2021 was disposed off.

In the light of the aforesaid development in the matter, the present petition do not survive for consideration. Moreover interim order merged with the final order in the light of the Apex Court in the case of **Kalabharati Advertising vs Hemant Vimalnath Narichania, (2010) 9 SCC 437**. Accordingly, present petition stand disposed off, reserving liberty to the petitioner to question the validity of the order dated 28.05.2021.

(P. B. Bajanthri, J)

(Rajiv Roy, J)

Prakash Narayan /-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	23.06.2022
Transmission Date	

