

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 3681 of 2022

Dr. Madhusmita Nanda

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Petitioner

*Mr. M.K. Mishra, Sr.
Advocate along with Mr. D.
Panda, Advocate*

Vs.

Union of India & Ors.

.....

Opposite party

*Mr. P.K. Parhi, ASGI
along with Mr. G. Mohanty,
Sr. Panel Lawyer
(O.Ps.)*

CORAM:

**DR. JUSTICE B.R. SARANGI
MISS JUSTICE SAVITRI RATHO**

ORDER

14.03.2022

Order No.

05

This matter is taken up through hybrid mode.

2. Heard Mr. M.K. Mishra, learned Senior Counsel appearing along with Mr. D. Panda, learned counsel for the petitioner and Mr. G. Mohanty, learned Sr. Panel Lawyer appearing for the opposite party-East Coast Railways.

3. The petitioner has filed this writ petition challenging the order dated 28.01.2022 passed by the Central Administrative Tribunal, Cuttack Bench, Cuttack in O.A. No.260/19 of 2022, by which the prayer for interim relief, so far as stay operation of transfer order dated 13.01.2022 of the petitioner is concerned, has been rejected.

4. This Court vide order dated 08.03.2022, directed learned Senior Counsel for the petitioner to address this Court with regard to maintainability of the writ petition against rejection of claim for grant of interim protection. Learned Senior Counsel for the petitioner contended that the petitioner has challenged her order

of transfer and she is going to retire from service in the month of November, 2022. In the event of delay in adjudication of the matter, no useful purpose would be served and therefore, the petitioner may be granted liberty to file an application before the Central Administrative Tribunal, Cuttack Bench, Cuttack for expeditious hearing of O.A. No.260/19 of 2022.

5. In view of such submission, this writ petition is disposed of permitting the petitioner to file an application before the Central Administrative Tribunal, Cuttack Bench, Cuttack for expeditious hearing of O.A. No.260/19 of 2022. In the event, the petitioner files such application, the Tribunal shall consider and dispose of the said O.A. in accordance with law, keeping in view the fact that she is going to retire from service in the month of November, 2022, as expeditiously as possible preferably before her retirement in accordance with law.

6. Issue urgent certified copy as per rules.

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(**DR. B.R. SARANGI**)
JUDGE

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(**SAVITRI RATHO**)
JUDGE