

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.21961 of 2017

Union of India & others		Petitioners
Mr. Partha Sarathi Nayak, Senior Panel Counsel, Union of India		
<i>-versus-</i>		
Sarat Kumar Dash		Opposite Party
		None

**CORAM:
JUSTICE JASWANT SINGH
JUSTICE M.S. SAHOO**

**ORDER (Oral)
04.01.2022**

Order No.

- 03.** **1.** This matter is taken up through Hybrid Mode.
- 2.** The petitioners-employer have filed the present writ petition directed against the order dated 29.07.2016 passed by the Central Administrative Tribunal, Cuttack Bench, Cuttack, whereby in sum and substance the transfer of Sarat Kumar Dash-opposite party, Commissioner of Income Tax (Appeals)-1 from Bhubaneswar to Vishakhapatnam had been ordered to be stayed. The primary ground of challenge raised by the Officer in his Original Application was that he was due to retire on 31.01.2019 and as per the instructions, an employee within three years of date of retirement is not liable to be transferred.
- 3.** At the time of hearing, it is conceded that the present writ petition has become infructuous in view of the Officer having retired.

4. The writ petition is accordingly dismissed as infructuous.

**(Jaswant Singh)
Judge**

**(M.S. Sahoo)
Judge**

January 4th, 2022
Cuttack

AKK

