

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.8435 of 2022

<i>Hemanta Kumar Sundaray</i>		<i>Petitioner</i>
		<i>Mr. Ashok Das, Advocate</i>
-versus-		
<i>Union of India and others</i>		<i>Opposite Parties</i>
		<i>Mr. P.K. Parhi, ASGI</i>

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER
09.05.2022

Order No.

- 01.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the Petitioner as well as learned counsel for the Union of India. Perused the record.
 3. The present writ petition has been filed by the petitioner for a direction to the Opposite Party No.4 to allow the petitioner to join in his previous place of posting at Khurda Road.
 4. It is submitted by learned counsel for the petitioner that direction of the Central Administration Tribunal is not adhered to implement the same by the Railway Authority, the present petition has been filed. It is further submitted by learned counsel for the petitioner that earlier the petitioner had filed a writ petition before this Court and this Court disposed of the said writ petition granting liberty to the petitioner to approach the appropriate authority by filing order under Annexure-9.
 5. Further, it is submitted by learned counsel for the petitioner that on specific order, the authority is not taking any action on the

representation of the petitioner for redressal of the grievance of the petitioner. Since the matter pertains to railway employee, the petitioner may be allowed to file before the Central Administrative Tribunal and the order of Central Administrative Tribunal is not devoid of power for implementation.

6. In such view of the matter, learned counsel for the petitioner at this juncture submits that he does not want to press the present writ petition and seeks liberty to approach before the Central Administrative Tribunal, Cuttack Bench, Cuttack for redressal of the grievance of the petitioner. In the event the petitioner approaches the Central Administrative Tribunal, Cuttack Bench, Cuttack, the said tribunal take such action in accordance with law and pass appropriate order.

7. Further, learned counsel for the petitioner draws attention of this Court to the order dated 24.07.2019 passed by the Central Administrative Tribunal, Cuttack Bench, Cuttack wherein a specific direction of stay the operation of the impugned transfer order dated 1.12.2018 under Annexure-A/1 has been passed. Learned counsel for the petitioner further alleged that the said order has not been implemented.

8. Considering the aforesaid submissions made, the Central Administrative Tribunal, Cuttack Bench, Cuttack is directed to pass necessary orders in accordance with law within a period of four weeks from the date of filing of the application.

9. With the aforesaid observation/direction, the writ petition is disposed of.

(A.K. Mohapatra)
Judge

