

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 8517 of 2022

Anadi Charan Panda

.....

Petitioner

Mr. N.R. Routray, Advocate

Vs.

Union of India & Ors.

.....

Opposite Parties

*Mr. P.K. Parhi, ASGI along with Mr. D.
Gochhayat, CGC*

CORAM:

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

**ORDER
02.05.2022**

Order No.

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This matter is taken up through hybrid mode.

2. Heard Mr. N.R. Routray, learned counsel for the petitioner and Mr. P.K. Parhi, learned Assistant Solicitor General of India appearing along with Mr. D. Gochhayat, learned Central Government Counsel.

3. The petitioner has filed this writ petition challenging the order dated 25.03.2022 passed in O.A. No.96 of 2021, by which the Central Administrative Tribunal, Cuttack Bench, Cuttack has dismissed the said O.A. on the ground of territorial jurisdiction.

4. Mr. N.R. Routray, learned counsel for the petitioner contended that the petitioner, while working as Station Manager at Lakhannath Station, was transferred to Haldia Station, which was under challenge before the Central Administrative Tribunal, Cuttack Bench, Cuttack. It is contended that the tribunal, without appreciating the fact in

proper perspective, has dismissed the O.A. on the ground that it lacks jurisdiction, as Lakhananath Station situates beyond the local limits of the State of Odisha. It is further contended that transfer of the petitioner was made from Lakhannath Station to Haldia Station on the allegation of train accident. If at all the order of transfer was issued directing the petitioner to join at Haldia Station and the said order was under challenge, the tribunal should not have arrived at the conclusion that it has lacked jurisdiction, as Lakhannath Station is situated within the territorial jurisdiction of Odisha.

5. Mr. P.K. Parhi, learned Assistant Solicitor General of India appearing along with Mr. D. Gochhayat, learned Central Government Counsel contended that admittedly Lakhannath Station is situated within the territorial jurisdiction of Odisha. Therefore, the tribunal should not have dismissed the O.A. on the ground of lack of jurisdiction.

6. Above being the contentions raised by learned counsel for the parties, since the tribunal has dismissed the O.A. on the ground of territorial jurisdiction, though Lakhannath Station is situated within the territorial jurisdiction of Odisha and the order of transfer has not been effected, as contended by learned counsel for the petitioner that the petitioner has not joined at Haldia Station, the Central Administrative Tribunal, Cuttack Bench, Cuttack has jurisdiction to entertain the O.A. Thereby, there is gross error apparent on the face of the order impugned passed by the tribunal.

7. In that view of the matter, the order dated 25.03.2022 passed by the Central Administrative Tribunal, Cuttack Bench, Cuttack in O.A. No.96 of 2021 is quashed and the matter is remitted back to the tribunal to hear it afresh and pass appropriate order in accordance with law and in the light of the observations made above.

8. With the above observation & direction the writ petition stands disposed of.

Issue urgent certified copy as per rules.

(DR. B.R. SARANGI)
JUDGE

(SAVITRI RATHO)
JUDGE