

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 15109 of 2018

Union of India and others

.....

Petitioner

Mr. P.K. Parhi, ASGI

Vs.

Rabi Narayan Satapathy and others

.....

Opposite Parties

Mr. N.R. Routray, Adv. [O.P.No.1]

Mr. P.K. Parhi, ASGI along with

Mr. D. Gochhyat, CGC

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE S.K. MISHRA

ORDER

18.07.2022

Order No.

11.

This matter is taken up through hybrid mode.

2. Heard Mr. P.K. Parhi, learned Asst. Solicitor General of India appearing along with Mr. D. Gochhayat, learned Central Government Counsel for the Petitioners-Union of India and Mr. N.R. Routray, learned Counsel for Opposite Party No.1.

3. The Union of India and its functionaries have filed this Writ Petition to quash the Order dated 21.06.2018 passed in O.A. No. 260/381 under Annexure-3, by which the Central Administrative Tribunal, Cuttack Bench, Cuttack, while allowing the Original Application filed by the Opposite Party No.1, has quashed the rejection Order dated 16.04.2014 and observed that since the clarificatory letter of the Railway Board dated 24.02.2014 has already been quashed by the Tribunal in O.A. No. 247 of 2014 and upheld by this Court in W.P.(C) No. 5898 of 2017, no further quashing is required. By holding so, the Tribunal directed the Petitioners to extend similar benefit to the Opposite Party No.1, as was extended to one Parameswar Biswal in the aforesaid Original Application.

4. Mr. N.R. Routray, learned Counsel for Opposite Party No.1 contended that against the similar Order passed by the Tribunal, Union of India approached this Court by filing W.P.(C) No. 26179 of 2017, which was disposed of vide Order dated 16.05.2019, affirming the Order passed by the Tribunal. Against the said Order, Union of India preferred SLP (C) No. 29243 of 2018 and though initially Interim Order was granted by the apex Court, but subsequently vide Order dated 30.03.2022, the said SLP was dismissed.

5. Though time was granted to the learned Central Government Counsel to obtain instructions in the matter, he is unable to produce the same.

6. In the above view of the matter, since in an analogous matter, SLP (C) No. 29243 of 2018 has already been dismissed by the apex Court, vide order dated 30.03.2022, affirming the Orders passed by this Court as well as the Tribunal, this Writ Petition stands dismissed in terms of the Order passed by the apex Court. The Petitioners-Union of India are directed to extend the benefit to Opposite Party No.1 in terms of the Order passed by the Tribunal, as expeditiously as possible.

(DR. B.R. SARANGI)
JUDGE

(S.K. MISHRA)
JUDGE