

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No.21640 of 2022

Siba Prasad Khandayatray

.....

Petitioner

Mr. P.K. Das, Advocate

Vs.

***Registrar, Central Administrative
Tribunal, Cuttack Bench, Cuttack
and others***

.....

Opposite Parties

Mr. D.R. Bhokta, C.G.C.

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE G. SATAPATHY

ORDER

19.09.2022

Order No.

01.

This matter is taken up through hybrid mode.

2. Heard Mr. P.K. Das, learned counsel for the petitioner and Mr. D.R. Bhokta, learned Central Government Counsel appearing for the opposite parties.

3. The petitioner has filed this writ petition seeking to quash the order dated 14.12.2021 passed by the Central Administrative Tribunal, Cuttack Bench, Cuttack in M.A No.578 of 2021 arising out of O.A. No.80 of 2021 and further to issue direction to the opposite parties to give retrospective effect of the notification dated 13.07.2020 and further to stay the order dated 11.09.2020 passed by opposite party no.3 during pendency of the said O.A.

4. Mr. P.K. Das, learned counsel for the petitioner contended that the petitioner filed O.A. No.80 of 2021 and the Tribunal, vide order dated 14.12.2021, disposed of the M.A. No.578 of 2021 filed by the petitioner for early hearing and did not pass any interim order except stating that pleadings are complete and accordingly posted the case for final hearing along with other M.As. Since the Tribunal has not passed any interim order, the petitioner has approached this

Court by filing this writ petition contending that till the O.A. is heard finally, this Court may grant interim order by quashing the impugned notification in the interest of justice.

5. Mr. D.R. Bhokta, learned Central Government Counsel appearing for the opposite parties contended that since the matter is ready for hearing, if any interim order is passed by this Court at this stage, it will cause prejudice to the opposite parties.

6. Having heard learned counsel for parties and after going through the records, it appears that the petitioner sought for staying the impugned notification dated 13.07.2020, the revised recruitment rules and consequential order dated 11.09.2020 by stating that the petitioner is working in the post of JFA (PMA), which is a technical post, and after successful completion of two years probation, he has got service training in the meantime and by impugned notification the petitioner will be sent to MTS Cadre. Needless to say, the notification was issued on 13.07.2020 and in the meantime, two years have passed and, as such, the petitioner had approached the Tribunal in 2021 and the Tribunal has made all endeavour to dispose of the O.A. at an early date. More so, the order dated 14.12.2021 passed by the Tribunal clearly indicates that pleadings are complete. Therefore, the Tribunal is willing to dispose of the O.A. as expeditiously as possible by not granting any interim order.

7. In that view of the matter, this Court is not inclined to entertain this writ petition. Accordingly, the writ petition stands disposed of.

(DR. B.R. SARANGI)
JUDGE

