

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT NAGPUR, NAGPUR.

...

WRIT PETITION NO. 7497/2022

Shri Arun s/o Bapurao Kose

.. Petitioner

versus

he Union of India and others

.. Respondents

.....
Mr.PS.Sahare, Advocate for the Petitioner

Mr.Sourabh Choudhari, Counsel for Res.No.1 -UOI
.....

CORAM: A.S.CHANDURKAR & ANIL L.PANSARE,JJ.

DATED : 5th December, 2022.

P.C. :

Heard.

The Petitioner, who is serving as a Junior Works Manager Ordnance Factory, Ambajhari, was transferred on 20.09.2022 at Ordnance Factory, Bhusawal. Being aggrieved, the Petitioner has approached the Central Administrative Tribunal challenging that order. Along with Original Application, the Petitioner also preferred the stay application. It is the specific case of the Petitioner that on 19.10.2022 the stay application was heard at length by the learned Administrative Member. However till date, no orders on the stay application have been passed. Mr.Sahare, learned counsel for the Petitioner has referred to Rule 105 of the Central Administrative Tribunal Rules of Practice, 1993, to urge that orders reserved ought to be pronounced not later than three weeks from such hearing. It is further submitted that the petitioner's counsel brought this fact to the notice of the Registrar, CAT, Mumbai and was informed on 24.11.2022 that no order had been dictated on the stay application in O.A. No.804/2022. He was further informed that the learned Member was on leave till 09.12.2022. The learned counsel

further submits that the aforesaid Original Application has not been taken on Board on 12.12.2022 when the learned Member would be available. Hence, appropriate directions are sought in the matter.

Considering the peculiar facts and the statement of the learned counsel for the Petitioner that the Petitioner stands relieved from his post at Ambajhari, the only direction that can be issued is to have the Petitioner's O.A. bearing No. 804/2022 to be taken on Board by the learned Administrative Member, CAT, Bench at Nagpur. It is expected that in accordance with Rule 105 of the aforesaid Rules, the order on the stay application would be pronounced at the earliest.

Mr. Choudhari, learned Counsel appearing for respondent nos.1 to 6 undertakes to inform the aforesaid order to the respondent no.7 through its Registrar.

Keeping the points raised in the petition open, writ petition is disposed of. No costs.

[ANIL L. PANSARE, J.]

sahare

[A.S.CHANDURKAR, J.]