

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

118

CWP No.6066 of 2022

Date of Decision: 28.03.2022

Government Medical College and Hospital and others

....Petitioners

VERSUS

The Central Administrative Tribunal and others

....Respondent

**CORAM: HON'BLE MR. JUSTICE G. S. SANDHAWALIA
HON'BLE MR. JUSTICE VIKAS SURI**

Present: Mr. Anil Mehta, Senior Standing Counsel with
Mr. Suman Jain, Addl. Standing Counsel, UT, Chandigarh
for the petitioners.

Mr. Rajvinder Singh Bains, Senior Advocate with
Ms. Aarushi Garg, Advocate for respondent No.2.

G.S. SANDHAWALIA, J. (Oral)

The present writ petition challenges an interim order of respondent No.1-Tribunal dated 24.02.2022 (Annexure P/1), whereby respondent No.2-original applicant before the Tribunal was given the benefit of maintaining status quo with regard to applicant's service during the pendency of the original application. In sum and substance, the relief of claim for continuation of service till the age of 65 years instead of 62 years, was prayed for.

It has been brought to our notice that in the interim period, even the pleadings have been completed inasmuch as written statement and replication have been brought on record. Vide interim order dated 15.03.2022, the Tribunal has admitted the matter and listed the same for hearing on 25.03.2022 and ordered the interim order to continue till the next

date of hearing. The present writ petition was filed on 22.03.2022. The matter is stated to be now pending for 07.04.2022.

In such circumstances, we are of the considered opinion that since the Tribunal has yet to decide the merits of the case, it could not be for this Court to go into the issues, which lie within the domain of the original jurisdiction of the Tribunal and the merits of the case.

Apparently, from the orders, which are being placed on record, the Tribunal is making efforts to decide the issue, expeditiously since the applicant is stated to have retired on 28.02.2022.

In the considered opinion of this Court, it would not be appropriate for this Court to exercise its writ jurisdiction against the interim order, since the matter is at an advanced stage and ripe for arguments before the Tribunal and pending hearing.

Keeping in view the nature of controversy and the fact that a large number of other similarly situated employees are likely to raise the same dispute, the Tribunal shall take steps to decide the case within four weeks, on receipt of a copy of this order.

In view of the above facts, counsel for the petitioners is not in a position to press the petition and accordingly, the same is dismissed.

(G. S. SANDHAWALIA)
JUDGE

(VIKAS SURI)
JUDGE

March 28, 2022
Sachin M.

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No