

**CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH**

**ORIGINAL APPLICATION NO.170/00481/2020**

**DATED THIS THE 4<sup>th</sup> DAY OF MARCH, 2021**

**CORAM:**

**HON'BLE SHRI SURESH KUMAR MONGA, MEMBER (J)**

**HON'BLE SHRI RAKESH KUMAR GUPTA, MEMBER (A)**

Sri S. Prabhakaran, IFS  
S/o A. Shivaji  
Aged about 33 years  
Working as Deputy Conservator of Forests  
Madikeri (Territorial) Division  
Madikeri,  
Residing at DFO Bungalow,  
Near Chain Gate  
Madikeri. ....Applicant

(By Advocate Shri Vishwanath Bhat)

Vs.

1. Union of India  
Rep. by its Secretary to Government  
Ministry of Environment, Forests and Climate Change  
Indira Paryavaran Bhavan  
6<sup>th</sup> Floor, Prithvi Block  
Jor Bagh Road, Aliganj  
New Delhi-110 003.
2. The State of Karnataka  
Rep by its Principal Secretary  
Department of Personnel & Administrative Reforms  
Vidhana Soudha  
Bengaluru-560 001.
3. The State of Karnataka  
Rep by its Addl. Chief Secretary  
Forest, Ecology & Environment Department  
M.S.Building  
Bengaluru-560 001.

4. Sri A.T. Poovaiah, SFS  
Aged about 58 years  
Working as Deputy Conservator of Forest,  
Forest Mobile Squad,  
Aranya Bhavan,  
Mysuru-570001. ....Respondents

(By Advocates Shri M.V.Rao for R1,  
Shri M.V.Ramesh Jois for R2 & R3 &  
Shri Javind Hussain for R4)

**ORDER (ORAL)**

**PER: SURESH KUMAR MONGA, MEMBER (J)**

At the very outset, Shri Vishwanath Bhat, learned counsel representing the applicant submitted that the matter is squarely covered by a judgment dated 08.09.2020 rendered by the Hon'ble High Court of Karnataka at Dharwad in WP.No.147272/2020(S-CAT).

2. Confronted with this, Shri M.V.Ramesh Jois, learned counsel representing respondents No.2 & 3 submitted that the Original Application may be disposed of with a direction to the Principal Secretary, Department of Personnel & Administrative Reforms(respondent No.2) to revisit the order dated 28.10.2020(Annexure-A2) while keeping in view the aforesaid judgment rendered by the Hon'ble High Court of Karnataka.

3. In view of the above, the present Original Application is disposed of with a direction to the Principal Secretary, Department of Personnel & Administrative Reforms, Government of Karnataka, Bangalore (respondent

No.2) to revisit the order dated 28.10.2020(Annexure-A2) and issue a fresh order while keeping in view the judgment dated 08.09.2020 rendered by the Hon'ble High Court of Karnataka at Dharwad in WP.No.147272/2020(S-CAT). Before taking a fresh decision, the applicant shall also be afforded an opportunity of hearing. The whole exercise shall be undertaken within a period of twenty(20) days from the date of receipt of a certified copy of this order. So long as the matter remains pending with respondent No.2, the applicant shall not be displaced from his present place of posting.

4. The OA stands disposed of in the above terms. However, there shall be no orders so as to costs.

**(RAKESH KUMAR GUPTA)**  
**MEMBER (A)**

**(SURESH KUMAR MONGA)**  
**MEMBER (J)**

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