



**CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH**

ORIGINAL APPLICATION NO. 170/602/2020

DATED THIS THE 16th DAY OF JULY, 2021

CORAM:

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

(On video conference from Central Administrative Tribunal, Chandigarh Bench, Chandigarh)

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

(On video conference from Central Administrative Tribunal, Bangalore Bench, Bangalore)

S.J. Chandrashekhar, S/o S. Jogaiah, aged about 56 years, Deputy Conservator of Forest, Ghataprabha Division, Gokak, Belgaum District – 591307.

....Applicant

(By Advocate Sh. Veerendra R Patil – through video conference)

Vs.

1. The Secretary of Government of India, Ministry of Environment Forest and Climate Change, Indira Paryavaran Bhavan, 6th Floor, Prithvi Block, Jor Bagh Road, Ali Ganj, New Delhi – 110003.
2. Union Public Service Commission, Dholpur House, New Delhi – 110003.
3. Under Secretary to Government, Department of Personal & Administrative Reforms, DPAR (Service – V), Vidhana Soudha, Bangalore.
4. Additional Chief Secretary to Forest, Ecology & Environment, Room No : 448, Gate No. 2, 4th Floor, M.S. Building, Bangalore – 560001.
5. Under Secretary to Government (Service), Forest Ecology & Environment Department, Gate No. : 2, 4th Floor, M.S. Building, Bangalore – 560001.
6. Principal Chief Conservator of Forest & (Head of the Forest force), Aranaya Bhavan, Malleshwaram, Bangalore – 56003.



7. Ashok R Patil, SFS, Deputy Conservator of Forest, Vijayapura Division, Vijayapura – 586101.

.....Respondents

(By Advocate Sh. V.N. Holla Proxy for Sh. M.V. Rao for Respondent No. 1, Sh. M. Rajakumar for Respondent No. 2, Sh. MV Ramesh Jois for Respondents No. 3 to 6, Sh. Vishwanath Bhat for Respondent No. 7 – through video conference)

O R D E R (ORAL)

PER: SURESH KUMAR MONGA, MEMBER (J)

1. The present Original Application has been filed by the applicant against an order dated 23.12.2020 vide which Ashok R Patil, Deputy Conservator of Forests, Vijayapura Division, Vijayapura (Respondent No. 7 herein) has been ordered to be transferred and posted as Deputy Conservator of Forests, Ghataprabha Division, Gokak, vice S J Chandrashekhar (the applicant herein).
2. During the course of hearing, it has emerged that the Respondent No. 7 is due for retirement on 31.07.2021. It has also been brought to our notice that after issuance of the order dated 23.12.2020, the applicant herein gave a representation to official respondents on which no decision has been taken upto now.
3. In view of the facts and circumstances of the case, more particularly, the factum of retirement of Respondent No. 7 on 31.07.2021, we deem it appropriate to dispose of the present Original Application without entering into the merits of the case with a direction to official



respondents to revisit the order dated 23.12.2020.

4. Accordingly, the Original Application is disposed of with a direction to the competent authority to revisit the order dated 23.12.2020 and issue the fresh orders with regard to posting of the applicant herein. Before taking such a decision, the applicant shall also be afforded an opportunity of hearing. All the pleas raised by him in his representation dated 24.12.2020 shall be taken note of.
5. The whole exercise shall be undertaken on or before 31.07.2021 i.e. the date of retirement of Respondent No. 7 herein.
6. Ordered accordingly. However, there shall be no orders so as to costs.

(RAKESH KUMAR GUPTA)
MEMBER (A)

(SURESH KUMAR MONGA)
MEMBER (J)

/NK/