
(2025) 05 CAT CK 0308

In the Central Administrative Tribunal, Principal Bench, New Delhi

Case No : Original Application No. 1745 Of 2025

Neelesh Yadav

APPELLANT

Vs

Indian Council For Forestry Research And Education, Through
Its Secretary, Address: Chakarata Rd, New Forest, P.O,
Indian Military Academy, Dehradun, Uttarakhand 248006 &
Ors.

RESPONDENT

Date of Decision : 09-05-2025

Acts Referred:

Administrative Tribunals Act, 1985 — Section 19

Citation : (2025) 05 CAT CK 0308

Hon'ble Judges : Manish Garg, Member (J); Dr. Anand S Khati, Member (A)

Bench : Division Bench

Advocate : Pauras Tyagi, Shivam Tyagi

Final Decision : Disposed Of

Judgement

Manishh Garg, Member (J)

1. In the present Original Application, filed under Section 19 of the Administrative Tribunals Act, 1985, the applicant has prayed for the following relief(s):

"i. Pass an order to set aside the orders dated 24.04.20255 passed by the Respondent No. 3 as well as the order dated 25.04.20255.

ii. Pass any other order/s which this Hon'ble Tribunal may deem fit and proper, under the circumstances of the case.

iii. Pass order to award the litigation cost bared by the Applicant."

2. Learned counsel for the applicant submits that an advance copy of the present O.A. has been circulated to Mr. Sanjay Katiyal, Standing Counsel of the respondents.

3. The matter was passed over awaiting response, if any, on behalf of the

respondents. However, there is no representation on behalf of the respondents, even in the revised call.

4. An application for interim relief has been sought. The Registry has raised an objection as the applicant has not filed the O. A. in a prescribed format as per the Schedule of CAT Rules.

5. Considering the peculiar facts and circumstances of the case, the said objections are dispensed with. Registry is directed to assign the number more particularly in light of the fact that the applicant is a physically disabled person.

6. Learned counsel for the applicant presses for urgent interim relief, which reads as under:

"It is, therefore, most respectfully prayed that this Hon'ble Court may graciously be pleased to stay the effect and operation of the order dated 24.04.2025 passed by the respondent no. 3 as well as the order dated 25.04.2025 (Annexure no. 1 of the writ petition) or may be pleased to pass such further order which this Hon'ble Court may deem fit and proper under the circumstances of the case, otherwise petitioner shall suffer irreparable loss and injury"

7. Highlighting the facts of the case, learned counsel for the applicant has drawn our attention to the fact that the Hon'ble High Court of Uttarakhand, vide order dated 01.05.2025 in WPSB No.127/2025, passed the following order:

"5. We find substance in the said submission.

6. Since petitioner can approach the Tribunal under the aforesaid Act, therefore, we refuse to entertain the writ petition. The writ petition is, accordingly, dismissed on the ground of alternate remedy with liberty to petitioner to approach the appropriate forum.

7. Mr. Vikas Pande, learned counsel for the respondents assures that for a period of one week, status quo as of now shall be maintained, qua the posting of the petitioner."

8. Pursuant to the direction of the Hon'ble High Court of Uttarakhand, the applicant has approached this Tribunal.

9. It is the case of the applicant that the applicant is a 50% disabled person and moreover, a detailed representation dated 01.05.2025 (Annexure A-6 (copy)) has been preferred by the applicant to the competent authority regarding Transfer Order dated 24.04.2025, after passing of the order of the Hon'ble High Court of Uttarakhand on 01.05.2025.

10. In view of the peculiar facts and circumstances of the case, we dispose of the present O.A. at the admission stage by directing the respondents to dispose of the pending representation of the applicant dated 01.05.2025 (Annexure A-6 (copy)) by passing a reasoned and speaking order taking a holistic view in light of the provisions of the Right of Disability Act within a period of thirty days

from the date of receipt of a certified copy of this order. Till such time, the impugned orders dated 24.04.2025 and 25.04.2025 shall be kept in abeyance. Needless to say, the opportunity of hearing shall also be accorded to the applicant.

11. Accordingly, the present O.A. is disposed of with the aforesaid directions at the admission stage. All pending applications, if any, shall also stand disposed of. No costs.