

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 12934 of 2019**

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RAJESH R PILLAY

Versus

UNION OF INDIA

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Appearance:

MR KUNAL S SHAH(5282) for the Petitioner(s) No. 1

for the Respondent(s) No. 1

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CORAM: **HONOURABLE MR.JUSTICE S.R.BRAHMBHATT**

and

HONOURABLE DR.JUSTICE A. P. THAKER**Date : 31/07/2019****ORAL ORDER****(PER : HONOURABLE MR.JUSTICE S.R.BRAHMBHATT)**

1. The petitioner has taken out this petition seeking following prayers :

“(A) To admit and allow this petition;

(B) to direct the respondents to forthwith consider the representation dated 4/5-9-2017 of the petitioner and the decision on the same may kindly be communicated to the petitioner within a stipulated period as may be deemed just and necessary by this Hon'ble Court in the interest of justice;

(C) To direct the respondent to transfer the petitioner to his original place of posting on the same lines it has been done in the case of juniors to the petitioner and in the facts narrated hereinabove;

(D) During the pendency and final disposal of the present petition, YOUR LORDSHIPS may be pleased to direct the respondent to consider the representation

of the petitioner dated 4/5-9-2017 and to grant him the place of posting at Pune as sought for in the representation;

(E) Pass any such other and/or further orders that may be thought just and proper, in the facts and circumstances of the present case.”

2. The counsel for the petitioner has not shown as to why the writ petition should be maintained, when the alternative remedy is available.
3. In that view of the matter, when the counsel is unable to show as to why the writ petition should be maintained when the alternative remedy is available under statute, we are not inclined to maintain this petition and is hereby dismissed It goes without saying that the disposal of this petition would not preclude the petitioner to avail the remedy under the Central Administrative Tribunal Act.

(S.R.BRAHMBHATT, J)

(A. P. THAKER, J)

P.S. JOSHI