

16

**CENTRAL ADMINISTRATIVE TRIBUNAL,  
MUMBAI BENCH, MUMBAI**

**OA No.212/521/2014**

**Dated this Monday the 10th day of February, 2020**

**Coram: Dr. Bhagwan Sahai, Member (A).  
R. N. Singh, Member (J).**

1. The Dadra and Nagar Haveli Local Scheduled Tribes Government Employees Association, having office at Amlí Mandir Faliya, Post Silvassa, UT of Dadra and Nagar Haveli, Silvassa 396230, through its President Shri B. A. Mahala.
2. Shri P. M. Pagi, Forester, residing at Amlí, Baldevi, P.O. Silvassa 396230 and Shri M. U. Patel, Forest Guard, residing at Amlí Mandir Faliya, Post Silvassa, Dadra and Nagar Haveli:396230.

...Applicants.

( By Advocate Shri G. B. Kamdi ).

**Versus**

1. Union of India through the Secretary to Government of India, Ministry of Personnel, Public Grievances & Pension, (Departmental Personnel and Training) Central Secretariat, North Block, New Delhi-110001.
2. Union of India through the Secretary to the Government of India, Ministry of Home Affairs, Central Secretariat, North Block,

New Delhi-110001.

3. The Administrator,  
Union Territory of Dadra and Nagar  
Haveli, Administrator's Secretariat,  
P.O. Solvassa 396230.
4. The Chief Conservator of Forests  
Union Territory of Dadra & Nagar Haveli,  
Administrator's Secretariat,  
P.O. Silvassa 396230.  
... Respondents.

( By Advocate Shri B. K. Ashok Kumar ).

O R D E R (O R A L)

Per : R. N. SINGH, Member (JUDICIAL)

**Present.**

1. Shri G. B. Kamdi, learned counsel for the applicants.
2. Shri Rishi Ashok, proxy counsel for Shri B. K. Ashok Kumar, learned counsel for the respondents.
3. Heard the learned counsels for the parties.
4. The applicants have filed the present OA under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:

"a) That this Hon'ble Tribunal be pleased to call for the records and proceedings relating to the reservation orders and after ascertaining the propriety and legality in issuing the letter dated 1.9.2013 thereof and quash and set it

aside and direct the respondents to reserve 43% of the vacancies or posts in the matter of promotion for Scheduled Tribes on the basis of their population ratio to the population in UT DNH as in the case of direct recruitment in terms of order of the Central Government.

b) Such other orders as may be deemed necessary in the facts and circumstances of the case.

c) Costs of the application be provided for."

5. The respondents had filed reply/objections to the claims of the applicants.

Today when the matter is taken up for the final hearing, Shri Rishi Ashok proxy counsel for Shri B. K. Ashok Kumar, learned counsel for the respondents have placed on record a copy of the common order/judgment dated 07.02.2020 of the Hon'ble Supreme Court in Civil Appeal No.1226/2020 with a batch of other Civil Appeals.

6. In view of the judgment of the Hon'ble Apex Court dated 07.02.2020, referred to above, the learned counsel for the applicants seeks permission to withdraw the OA with liberty to approach the respondents or Competent court of jurisdiction in accordance with law, if occasion arises therefor.

7. Permission is granted.

8. The OA stands dismissed as withdrawn with liberty in accordance with law.

9. No order as to cost.

(R. N. Singh)  
Member (J)

(Dr. Bhagwan Sahai)  
Member (A)

V.

*SD  
28/01/2011*