

CENTRAL ADMINISTRATIVE TRIBUNAL,
MUMBAI BENCH, MUMBAI

OA No.753/2016

Dated this Wednesday the 29th day of January, 2020

Coram: R. N. Singh, Member (J).

1. Pushpa G. Wankhede
@ Pushpa Ramesh Wankhede,
Age 51 years,
R/at Alankar Park,
Durgapur Road,
Badnera Amravati-444 701.
2. Shri Amol Gajanan Wankhede,
Age 29 years,
Residing at: R/at Alankar Park
Durgapur Road,
Badnera Amravati-444 701.

...Applicants.

(By Advocate Shri Vicky Nagrani).

Versus

1. The Union of India
Through The General Manager,
Central Railway,
Mumbai CSTM,
Mumbai-400 001.
2. The Divisional Railway Manager
Central Railway,
Bhusawal Division,
Bhusawal 425 201.

... Respondents.

(By Advocate Ms. Sangeeta Yadav).

O R D E R (O R A L)

Present.

1. Shri Vicky Nagrani, learned counsel for the applicants.

2. Ms. Sangeeta Yadav, learned counsel for the respondents.

3. After arguing for some time, the learned counsel for the applicants seeks permission to withdraw the OA with liberty to file a better OA in accordance with law.

4. The learned counsel for the respondents submits that she does not have any objection for such request of the learned counsel for the applicants. However, the present OA is already barred by limitation and the claim of the applicant made in the OA also suffers from delay and laches and that should not be condoned.

5. In view of the aforesaid, without going into the defence of the respondents about limitation, delay and laches, permission is granted to the applicants to withdraw the present OA with liberty to file a better OA in accordance with law.

6. The OA is dismissed as withdrawn with liberty in accordance with law. The respondents shall be at liberty to raise all objections in accordance with law if occasion arises therefore.

7. No order as to costs.

(R. N. Singh)
Member (J)