CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

OA NO. 1753/2001

This the 21st day of May, 2002

HON'BLE SH. KULDIP SINGH, MEMBER (J)

In the matter of :

Ashok Birla, S/o Sh. J.R. Sharma,
R/o: C-24-B, Avantika Enclave,
Kanjhawala Road,
Delhi-110 083.

...Applicant.

(By Advocate: Sh. U. Srivastava)

Versus

Union of India, through

1. The Secretary
Ministry of Human Resources and Development,
Deptt. of Culture, Shastri Bhawan,
New Delhi.

2. The Director General
Archiological Survey of India
Janpath, New Delhi.

3. The Director General
Institute of Archiology,
ASI, Govt. of India,
Tilak Marg, New Delhi.

(By Advocate: Sh. S.M. Arif)

O R D E R (ORAL)

By Sh. Kuldip Singh, Member (J)

Counsel for applicant submits that he had filed this OA on the basis that he is entitled for the relief on the basis of the scheme of DOPT promulgated on 10.9.93. Now since the Apex Court has decided that it is the one time scheme and is not a continued one so he wants to withdraw the OA but at the same time he seeks liberty to pursue his remedy in accordance with department's guidelines contained in OM dated 7.6.1988 which is also provided in the scheme so promulgated on 10.9.93. The prayer for grant of liberty is opposed by the counsel for respondents. However, considering the facts that the scheme itself mentions in para 10 that provisions in

guidelines as contained in OM dated 7.6.88 should be followed strictly in case of the present employees.

2. I allow the withdrawal of the OA with liberty to the applicant to reagitate the matter on the basis of the department OM dated 7.6.88. However, it is made clear that this liberty granted to the applicant will neither extend the law of limitation nor delay seeking any other provisions that may be granted.

(KULDIP SINGH)
Member (J)

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