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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA 3096/2001

New Delhi this the 11th day of April, 2002

Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman (J)
Hon'ble Shri Govindan S.Tampi, Member (A)

Shri Vimal Kumar Sharma
S/O Sh. Shyam Lal Sharma,
Sr. Sectional Engineer (Works)
Northern Railway, Chanduasi
(UP)

(By Advocate Shri B.S. Mainee)

.. Applicant

Versus

Union of India : Through

1. The Secretary,
Ministry of Railways,
Rail Bhawan, New Delhi.
2. The General Manager
Northern Railway,
Baroda House, New Delhi.
3. The Divisional Railway Manager,
Northern Railway, Moradabad(UP)

.. Respondents

(By Advocates Shri Rajinder Khatter
along with Sh.V.S.R. Krishna)

O R D E R (ORAL)

(Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman (J)

Learned counsel for the parties heard.

2. Shri Rajinder Khatter, learned counsel for the respondents has produced the relevant records as per the previous order of the Tribunal dated 1.3.2002. Learned counsel for the respondents have submitted that the applicant has failed in the selection to which he had provisionally appeared.

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3. In the above circumstances, Shri B.S.Mainee, learned counsel submits that he does not wish to press the OA any more and he seeks permission to withdraw the same

4. Learned counsel for the respondents have, however, submitted that the applicant had been permitted to appear in the selection test in pursuance of Tribunal's order even though he was not eligible.

5. In view of the above submissions, we do not consider it necessary to deal with the merits of the case after taking into consideration the submissions made by the learned counsel for the applicant.

6. In the result, OA is dismissed as withdrawn. We make it clear that we have not expressed any views on the merits of the case and the issues raised in this case regarding eligibility is left open. No order as to costs.

(Govindan S.Tampi)
Member (A)
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Lakshmi Swaminathan
(Smt. Lakshmi Swaminathan)
Vice Chairman (J)