



**Central Administrative Tribunal
Principal Bench, New Delhi**

O.A. No.546/2021

This the 8th day of March, 2021

(Through Video Conferencing)

**Hon'ble Mr. A. K. Bishnoi, Member (A)
Hon'ble Mr. R.N. Singh, Member (J)**

Madhur Kushwaha
C-24-5, Delhi Police Apartment
Mayur Vihar Phase-I
New Delhi -110 091. ... Applicant

(Through Advocate Shri Atul Kumar Sinha)

Versus

1. Union of India through
Secretary, Ministry of Youth Affairs and Sports
Room No.1 C-Wing,
Shastri Bhawan, New Delhi -110 001.
2. Director General
Nehru Yuva Kendra Sangathan
Ministry of Youth Affairs & Sports
4-Jeevan Deep Building, Ground Floor
Parliament Street, New Delhi -110 001.
3. Deputy Director-Personnel
Nehru Yuva Kendra Sangathan
Ministry of Youth Affairs & Sports
4-Jeevan Deep Building, Ground Floor
Parliament Street, New Delhi -110 001.
4. The State Director
Nehru Yuva Kendra Sangathan
Jharkhand
Office at Shri JankiNiwas
6/D2 Shiv Bhawan Lane
Opp Ramkrishna Mission, Tagore Hills Road
Morabadi-Ranchi 834008 Jharkhand.
... Respondents

(Through Advocate Shri Gyanendra Singh)

ORDER (Oral)



Hon'ble Mr. R. N. Singh, Member (J):

The present OA filed by the applicant has been listed today before assigning any OA number in view of the request of the learned counsel for the applicant that despite deficiencies therein and office objection this matter may be listed before the Bench.

2. Learned counsel for the applicant argues that only deficiency is that the impugned orders have not been placed at appropriate place, i.e., in Compilation No.I and the same have been placed at some other place, i.e., in Compilation No.II.

3. After arguing for some time, learned counsel for the applicant submits that applicant is aggrieved of the order dated 9.12.2020 vide which he has been transferred and order dated 24.2.2021 vide which the applicant's probation has been extended. He further submits that the applicant has already joined at the new place of posting and applicant wants to make a comprehensive representation to the competent authority against the said order dated 9.12.2020. He further submits that order dated 24.2.2021 is a stigmatic order and the same has also not been passed by the competent authority.



4. Learned standing counsel for the respondents, who appears on advance service, submits that the present OA is not maintainable in as much as the applicant has admittedly not made any representation against the impugned transfer order and also that the order dated 24.2.2021 is not a consequent of order dated 9.12.2020 and the OA is barred by the provisions of Rule 10 of the CAT (Procedure) Rules, 1987.

5. Keeping in view the aforesaid position, learned counsel for the applicant seeks permission to withdraw the present OA with liberty to the applicant to make a comprehensive representation against the impugned orders dated 9.12.2020 and 24.2.2021 separately before the competent authorities for redressal of his grievances.

Permission is granted.

6. The OA stands dismissed as withdrawn with liberty to the applicant as aforesaid.

7. Registry is directed to assign appropriate number to the present Original Application. No costs.

(R.N. Singh)
Member (J)

(A. K. Bishnoi)
Member (A)

ravi/sarita/uma