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

ORIGINAL APPLICATION No.279 OF 2020

Dated this Monday, the 07th day of September, 2020

**CORAM: R.VIJAYKUMAR, MEMBER (A)
RAVINDER KAUR, MEMBER (J)**

BAK Shemana T.No.: 506,
Residing at : Flat No.102/D, Shri Lakshmi Enclave,
Kanungo Estate, Near Payade Hotel,
Meera Road, Thane 401 107.

Retired from the Post of Highly Skilled-I
From the O/o Commanding Officer,
Station Workshop EME, Colaba, Mumbai 400 005.

Mobile No.8652517505. - **Applicant**
(By Advocate Shri Anurag R. Saxena)

Versus

1. Union of India through The Secretary to the Govt. of India,
Ministry of Defence, South Block, New Delhi 110 001.
2. The Director General of EME, "B" Block Hutmants,
Near South Block, New Delhi 110 001.
3. The Director General of EME (Civ.)
Master General of Ordnance's Branch,
Integrated HQ of MOD (Army), DHQ PO,
New Delhi 110 105.
4. The Commandant, HQ Base Workshop Gp. EME,
Meerut Cantt 250 001.
5. The Commanding Officer, Station Workshop EME,
Colaba, Mumbai 400 005. - **Respondents**

ORAL ORDER
Per : R.Vijaykumar, Member (A)

This matter was heard today through Videoconference, with the consent of the learned counsel for the applicant.

Heard the learned counsel for the applicant.

The learned counsel for the applicant was inquired as to whether he was impleading any of his colleagues as private respondents especially Shri Mohd. Yasin against whom he has specifically asserted that Shri Mohd. Yasin is his junior. The learned counsel for the applicant submits that he did not wish to implead Shri Mohd. Yasin as private respondent.

Learned counsel was further asked how he has claimed in this OA, that he is senior to Shri Mohd. Yasin when it is seen that both applicant and Shri Mohd. Yasin were promoted as HSK-I and II on the same day and it was clearly settled long back, particularly in case any seniority list was published at that time indicating their relative rankings. The learned counsel for the applicant submits that at this moment, he does not have the required documents. It is further seen that para 8(1) of the reliefs claimed by the applicant in the OA is specifically for this inter se seniority.

At this stage, the learned counsel for the applicant

thereupon submits that he may be granted liberty to withdraw the present OA and file a better OA in two weeks, which is granted. It is also made clear that in the next OA, the legal issues of limitation that are associated with this OA will also be heard.

Hence, the OA stands dismissed as withdrawn with liberty as above. No costs.

(Ravinder Kaur)
Member (Judicial)

(R. Vijaykumar)
Member (Administrative)

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12/10/2020

