

4.1.88

REGN.NO. CA 1678/87

Shri Jai Singh

..... Applicant

Vs.

Union of India &amp; others

..... Respondents

Coram: Hon'ble Mr. Justice K. Madhava Reddy, Chairman  
Hon'ble Mr. Kaushal Kumar, Member.

For the Applicant

..... Shri B.S. Mainee, Counsel.

For the Respondents

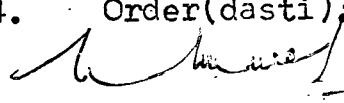
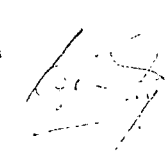
..... Shri P.S. Mahendru, Counsel.

It is stated in paragraph 6.16 of the counter filed on behalf of the Respondents that it is wrong to allege that Shri Jaipal Singh has been posted at Karnal vice the applicant as alleged in paragraph 6.16 of the application. Learned counsel Shri P.S. Mahendru, appearing for the Respondents also states that there is no order reverting the applicant from the post of Ticket Collector at Karnal. In the circumstances, learned counsel for the applicant states that he does not wish to press this application and he may be permitted to withdraw the same with the liberty to file a fresh application in the event ~~an~~ any order of reversion is made against him or if any action not to regularise his services as Ticket Collector is taken.

2. The application is accordingly dismissed as withdrawn. It is, however, made clear that the withdrawal of this application and nothing said herein will preclude the applicant from moving the Tribunal by way of a fresh application under Section 19 of the Administrative Tribunals Act, 1985 if he is not regularised or if he is reverted.

3. It is stated by the learned counsel for the applicant that in spite of reporting to duty, the applicant is not being allowed to do any duty ever since the impugned order was made. If that be so, the Respondents shall allow the applicant to perform his duty and pay him salary due to him under the Rules. The application is allowed to be withdrawn subject to what is stated above.

4. Order(dasti);

  
( Kaushal Kumar )  
Member  
( K. Madhava Reddy )  
Chairman

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