

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

O.A.No.2550/2004

Tuesday, this the 24th day of May 2005

Hon'ble Shri M.K. Misra, Member (A)

Kishan Kumar Sharma
Contingency Paid Employee Group 'D'
S/o Shri Shiv Kumar Sharma
R/o B-70, Ashiana Aptt.
Dilshad Colony
Delhi-95

..Applicant

(By Advocate: Shri G.S. Chaman)

Versus

1. Union of India through
Director General
Det. Of Revenue Intelligence
'D' Block, IP Bhawan (7th Floor)
IP Estate, New Delhi-2
2. Shri Gopal Krishan
Safaiwala
C/o Director General
Det. Of Revenue Intelligence
'D' Block, IP Bhawan (7th Floor)
IP Estate, New Delhi-2

..Respondents

(By Advocate: A.K. Singh)

O R D E R (ORAL)

Heard the learned counsel for the parties. The applicant in the OA seeks the following reliefs:

- [a] quash the impugned Circular at A-1 as unconstitutional, arbitrary, unfair and illegal as far as applicant is concerned.
- [b] order/direct reinstatement of the applicant as an contingency paid driver with temporary status with all the consequential benefits;
- [c] direct Respondents to pay the applicant difference of salary at the minimum of a driver's scale and daily wage already paid to him;
- [d] direct the Respondent No.1 to appoint the applicant to a regular post of Driver against an existing vacancy since he has been employed as a Driver for long since May, 1999 by seeking relaxation of the recruitment rules, if so required.

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(2)

- [e] any other order/directions as deemed fit and proper;
- [f] Cost."

2. It is observed from the above that multiple reliefs have been sought to be adjudicated by this Tribunal. Learned counsel for applicant submits that he would withdraw the OA and submit an amended OA for adjudication by the Tribunal. Learned counsel for respondents states that in MA-442/2005, the applicant made a prayer for the grant of subsistence allowance, which has been disposed of by this Tribunal by way of dismissal.

3. In the light of the above discussions, OA stands dismissed as withdrawn with liberty to the applicant to file a fresh OA, as advised.


(M.K. Misra)
Member (A)

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