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**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

OA 2936/2004

New Delhi, this the 7th day of April, 2005

**Hon'ble Mr. Justice M.A. Khan, Vice-Chairman (J)
Hon'ble Mr. S.A. Singh, Member (A)**

**Shri S.C. Kapoor
S/o Late Shri G.M. Kapoor
R/o 16/400, Lodhi Colony
New Delhi - 110 013.**

...Applicant

(By Advocate Ms. Pratima Gupta)

V E R S U S

- 1. Union of India through
The Defence Secretary
Ministry of Defence
South Block, New Delhi-11.**
- 2. The JS (Trg) & CAO
A2 (B), Ministry of Defence
'E' Block, New Delhi - 11.**

...Respondents

**(By Advocate Ms. Meenu Malnee
proxy for Ms. Sangeeta Singh)**


O R D E R (ORAL)

By Hon'ble Mr. Justice M.A. Khan, VC (J)

Learned counsel for the applicant has submitted that the present OA has been filed as the representation of the applicant was not decided by the respondents but now the respondents have passed the order disposing of the representation which the applicant proposes to challenge in a substantive petition. She has requested that the OA may be dismissed as withdrawn with liberty to the applicant to file fresh OA on the same subject matter. Learned counsel for the respondents does not oppose the prayer.

2. With regard to the facts submitted and the subsequent development, we are inclined to accede to the request of the learned counsel for the applicant. Accordingly, the OA is dismissed as withdrawn with liberty to the applicant to file fresh OA on the same subject matter as per law.


**(S.A. Singh)
Member (A)**


**(M.A. Khan)
Vice-Chairman (J)**

/vikas/