



Central Administrative Tribunal, Principal Bench, New Delhi

O.A.No.901/2004

New Delhi, this the 6th day of December, 2004

Hon'ble Mr. Justice V.S. Aggarwal, Chairman  
Hon'ble Mr. S.A. Singh, Member(A)

Kidar Singh, A.S.I. No.2994/D,  
Police Station, Najafgarh,  
S/o Shri Amar Singh,  
R/o RZ-94, Dharampura-I,  
Najafgarh, Delhi

....Applicant

(By Advocate: Shri H.K. Sharma)

Versus

1. Union of India, through  
The Secretary,  
Ministry of Home Affairs,  
North Block, New Delhi
2. The Commissioner of Police,  
Police Hd. Qtrs., I.P. Estate,  
New Delhi.
3. Dy. Commissioner of Police,  
South-West District,  
New Delhi

....Respondents

(By Advocate: Shri Ajesh Luthra)

**Order(Oral)**

**Justice V.S. Aggarwal, Chairman**

Learned counsel for the applicant states that the applicant had faced departmental proceedings in which he has been exonerated. It is also contended that in the criminal case that was pending against him, he has since been acquitted. We are informed that

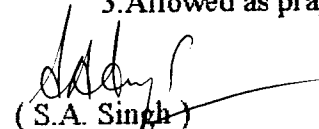
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keeping in view the matter that was pending, the claim of the applicant had been kept in a sealed cover. The sealed cover has been opened and the applicant has not been found fit.

2. Learned counsel for the applicant states that he has now come to know this fact that on opening of the sealed cover, the applicant has not been found fit. Therefore, he seeks to assail the proceedings whereby he has been found unfit for promotion. He states that keeping in view the subsequent events, he may be permitted to withdraw the present petition with liberty to file a fresh one in accordance with the procedure, assailing the decision that has been taken.

3. Allowed as prayed. Subject to aforesaid, dismissed as withdrawn.

  
( S.A. Singh )  
Member(A)

  
( V.S. Aggarwal )  
Chairman

/dkm/