

[Open Court]

**CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD
BENCH, ALLAHABAD**

THIS THE 03rd DAY OF JANUARY, 2012

**ORIGINAL APPLICATION NO. 130 OF 2004(U)
U/s 19, Administrative Tribunal's Act, 1985**

Present:-

HON'BLE MR. JUSTICE S. C. SHARMA, MEMBER-J

HON'BLE MR. SHASHI PRAKASH, MEMBER-A

Shri U. C. Agrawal son of late Shri Hoti Lal Agrawal, aged 52 yrs,
Scientist E-II, I.I.P, Dehradun.

.....Applicant

Versus

1. Council of Scientific and Industrial Research, a Society Registered under Societies Registration Act XXI of 1960 through its Director General, Anusandhan Bhawan, Rafi Marg, New Delhi.
2. Indian Institute of Petroleum, Dehradun through its Director.

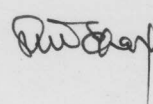
.....Respondents

Advocate present for the applicant:- Sri Rakesh Verma.

Advocate present for the respondents:- Sri Vinod Swaroop.

ORDER

Instant O.A. has been instituted in order to quash all the impugned proceedings of the assessment committee and of the sub-committee in respect of promotion of Scientist 'F' in I.I.P. (Respondent No.2), so far as they pertain to the applicant. Further prayer has also been made in order to quash the impugned orders by which assessment promotion from Scientist grade 'E-II' to Scientist 'F' has wrongly been denied to the applicant. Further prayer has also



been made for giving direction to the respondents to hold afresh, assessment of the applicant by a committee duly constituted in accordance with the provisions of Revised MANAS and further direct that, incase the applicant found suitable, he may be promoted as Scientist 'F' w.e.f. 01.04.1998 with consequential benefits.

2. We have heard Sri Rakesh Verma, Advocate for the applicant and Sri L. M. Singh holding brief of Sri Vinod Swaroop, Advocate for the respondents and perused the entire facts of the case.

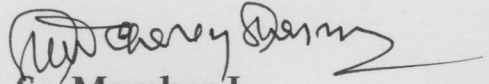
3. Learned counsel for the respondents argued that there are subsequent developments in this case and the applicant was given promotion on the post of Scientist 'F' and moreover, a letter was delivered by him to the respondents that he does not wants to pursue the matter in future. Mr. Rakesh Verma, Advocate stated that after perusing the contents of this letter filed as annexure to the Counter Affidavit, he wrote a letter to the applicant to respond about this letter annexed by the respondents and the applicant informed Sri Rakesh Verma that he has submitted an application to the respondents to withdraw this O.A. and that he does not wants to pursue the matter. Learned counsel for the applicant stated that after this letter the applicant has not turned up to and it appears that the applicant is not interested to pursue this matter.

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4. Considering the subsequent development that as the applicant has already been given the promotion, moreover a letter was delivered by the applicant to the respondents to withdraw the case, hence the O.A. is liable to be dismissed as withdrawn.
5. For the reasons mentioned above O.A. is liable to be dismissed as withdrawn.
6. O.A. is dismissed as withdrawn. No order as to costs.


Member-A

/Dev/


Sr. Member-J