



**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

OA No. 565/2021

This the 13th day of May, 2021

(Through Video Conferencing)

**Hon'ble Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. Tarun Shridhar, Member (A)**

Dr. Asha Srivastava (Grp-A),
(Presently working as Principal Scientific Officer),
Age 57 Years,
W/o Sh. Dr. Rajkumar,
R/o – A-371, Sector -31, Noida- 201301,
Uttar Pradesh.

... Applicant

(By Advocate : Mr. Abhaya K. Behera (Sr. Advocate) assisted
by Mr. Amarendra)

Versus

1. Director,
Central Forensic Science Labrotary,
Central Bureau of Investigation,
CGO Complex, Lodhi Road, New Delhi – 110003.
2. The Secretary,
Ministry of Home Affairs, Govt. of India,
North Block, New Delhi – 110001.
3. The Secretary,
Ministry of Personnel, Public Grievances and Pensions,
Department of Personnel and Training,
North Block, New Delhi – 110001.
4. Sh. Rakesh Bisht,
Principal Scientific Officer, CFSL,
Block 4, CGO Complex,
Lodhi Road, New Delhi – 110003.

... Respondents

(By Advocate : Mr. Ranjan Tyagi, Mr. R. K. Sharma)



O R D E R (ORAL)

Justice L. Narasimha Reddy, Chairman :

The applicant was appointed as Senior Scientific Assistant (Lie Detection) in the Central Forensic Science Laboratory (CFSL) on 29.06.1993. The 4th respondent, on the other hand, was appointed as Sr. Scientific Assistant (Lie Detection) on 26.12.1991 in the same Organization. Both of them have acquired promotion to the next higher post. The applicant has filed this OA with a prayer to declare him as senior to the fourth respondent from stage of SSO (Grade-II), SSO (Grade-I) and PSO and to extend him all consequential benefits.

2. We heard Mr. Abhaya K. Behera, Senior Advocate assisted by Mr. Amarendra, learned counsel for the Applicant, and Mr. Ranjan Tyagi and Mr. R. K. Sharma, learned counsel for the Respondents.

3. During the course of hearing, we came across several developments. For example, the CFSL published a seniority list for the post of SSO (Grade-I) on 31.03.2016. The



4th respondent is at Sl. No. 2, whereas this applicant is at Sl. No. 4. Being aggrieved by this seniority list, the applicant made a representation. It is yet to be disposed of. The seniority list is not in challenge in this OA.

4. When the same is pointed out, learned Sr. Counsel for the applicant, sought permission of the Tribunal to withdraw the OA and to file a fresh OA, for appropriate reliefs.

5. Permission is accorded.

6. The OA is dismissed as withdrawn. It is left open to the applicant to file a fresh OA seeking redressal of his grievance on the same cause of action. There shall be no order as to cost.

**(Tarun Shridhar)
Member (A)**

**(Justice L. Narasimha Reddy)
Chairman**

/Lalit/ankit/sd/dsn