



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

O.A. No.891/2021

This the 20th day of July, 2021

(Through Video Conferencing)

**Hon'ble Mr. R.N. Singh, Member (J)
Hon'ble Ms. Aradhana Johri, Member (A)**

Shri Omkar Singh
Aged 58 years
Group 'C'
S/o Shri Devender Kumar
R/o 136, Prakash Vihar
District Palwal, Haryana
Assistant Fitter,
Badge No.9146
Token No.41718
Presently Posted at Sukhdev Vihar Depot.
... Applicant
(through Advocate: Shri G.S. Charya)

VERSUS

Delhi Transport Corporation
Through its Chairman-cum-Managing Director
I.P. Estate, New Delhi.
... Respondents
(through Advocate: Ms. Arati Mahajan)

ORDER (Oral)

Hon'ble Mr. R. N. Singh, Member (J):

In the present OA the applicant has prayed for the following relief(s) :-

“(a) set aside the order dated 09.12.2020 and direct the respondent to not recover any amount

from the applicant towards any arrears of refixation of pay;



(b) set aside the order dated 27.11.2020 whereby the respondent in violation of principles of natural justice had re-fixed the pay of the applicant without there being any basis in an arbitrary manner.

(c) pass any other order/direction which this Hon'ble Tribunal may deem fit and proper in view of the above facts and circumstances in favour of the applicant."

2. Pursuant to the notice from this Tribunal, the respondents have filed reply.

3. Learned counsel for respondents submits that by way of the Order dated 02.07.2021 (Annexure R-1) the respondents have withdrawn the impugned order dated 09.12.2020, i.e., one of the impugned orders in the present OA. She further submits that vide Order dated 11.05.2021 (Annexure R-2) the second order impugned in the OA, i.e., 27.11.2020 also stands modified and, therefore, nothing survives in the present OA.

4. In view of the aforesaid, learned counsel for the applicant seeks permission to withdraw the OA with liberty to the applicant to challenge the respondents' order dated 11.05.2021 (Annexure R-2) and/or to seek any other relief, as admissible, in accordance with law. Permission is

granted. OA stands dismissed as withdrawn, with liberty as
aforesaid. No costs.



(Aradhana Johri)
Member (A)

(R.N. Singh)
Member (J)

/ravi/cc/uma/anjali/