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**A. Patel Vrs. UOI**

**Admission Sl. No. 4**

**O.A. No. 832 of 2016**

Order dated 23.11.2016

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**HON'BLE SHRI A. K. PATNAIK, MEMBER (JUDL.)**

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Heard Mr. D.P.Dhalsamant, Ld. Counsel for the applicant, and Mr. P.K.Mohanty, Ld. Addl. Central Govt. Standing Counsel appearing for the Respondents, on whom a copy of this O.A. has already been served.

2. On being questioned regarding maintainability of this O.A. under Section 20 of the CAT Act and Procedure Rule, Mr. Dhalsamant fairly submitted that after receipt of the order dated 27.10.2016, the applicant has immediately filed this O.A. apprehending some coercive action against him and could not get time to make appeal. Now, Mr. Dhalsamant prays to withdraw this O.A. with liberty of this Tribunal to prefer appeal within a period of 10 days from today.

3. I do not think that it will prejudice to either of the sides if the prayer of Mr. Dhalsamant is allowed and the O.A. is allowed to be withdrawn. Accordingly, this O.A. is disposed of being withdrawn giving liberty to the applicant to prefer appeal before the appropriate appellate authority within a period of 10 days from today. If such an appeal is preferred within 10 days from today then the same will be

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considered and disposed of by the said appellate authority with a reasoned and speaking order within a period of one month from the date of receipt of the appeal. I make it clear that I have not expressed any opinion on the merit of the matter and all the points raised in the appeal shall be kept open for the appellate authority to consider the same as per rules and regulations in force.

4. I make it clear that no further action in response to the charge sheet dated 28.10.2013 and punishment order dated 27.10.2016 under Annexures-A/1 and A/4 respectively will be taken by the Respondents for a further period of one month from the date of communication of the result of the appeal, if so preferred.

5. With the aforesaid observation and direction, this O.A. stands disposed of being withdrawn.

6. Copy of this order be given to the Ld. Counsels for both the sides. Applicant is at liberty to annex a copy of this order along with his appeal.

  
MEMBER(Judl.)

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