IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH: JODHPUR

Date of order : 19.3.1997

O.A. No. 15/97

C.M. Sharma ... Applicant.

versus

1. The Union of India through General Manager, Northern Railway, Church Gate, Bombay.

2. Divisional Railway Manager, Western Railway, Ratlam Division, Ratlam.

3. Shri Sampat Raj Sharma, Traffic Inspector, Dahod Distt. Godara, Gujarat.

4. Shri Kuldeep Diwevidi, Deputy Chief Controller, Western Railway, Ratlam.

... Respondents.

Mr. J.K. Kaushik, Counsel for the applicant.

Mr. S.S. Vyas, Counsel for Respondents Nos. 1 & 2.

None present for Respondent No. 3 and 4.

Mr. Kamal Dave, Counsel for Respondent No. 5 (newly impleaded).

CORAM:

Hon'ble Mr. Gopal Krishna, Vice Chairman.
Hon'ble Mr. O.P. Sharma, Administrative Member.

PER HON'BLE MR. O.P. SHARMA:

Shri C.M. Sharma in this application filed under Section 19 of the Administrative Tribunals Act, 1985, has prayed that the order dated 11.12.1996 (Annexure A/1) passed by the respondent No. 2, namely, the Divisional Railway Manager, Western Railway, Ratlam Division, Ratlam, in so far it relates to the reversion of the applicant from the post of Station Superintendent scale Rs. 2000-3200 to the post of Assistant Station Master scale Rs. 1400-2300 may be quashed with all consequential benefits.

2. The All India Station Masters' Association, Ratlam Division, through its Divisional Secretary Shri C.P. Gupta, had filed a Misc. Application seeking to be impleaded as respondent in this O.A. The said M.A. No. 27/97 has been allowed separately today. The applicant has yet to file the amended cause title. Reply on behalf of official respondents Nos. 1 and 2 has been filed today.

3. The learned counsel for the applicant has stated that in view of order Annexure R/5 dated 2.12.1996 passed by the respondent No. 2, it has become necessary for the applicant either to amend the O.A. or to withdraw it for filing a fresh application. The learned counsel for the applicant states that the applicant be granted permission to withdraw the present application with liberty to file a fresh O.A.

4. The learned counsel for the respondents Nos. 1, 2 and 5 however, oppose the applicant's prayer for withdrawal of the present application with permission to file a fresh O.A.

5. We have carefully considered the matter. However, in the light of the facts of the case, we permit the applicant to withdraw this O.A. with liberty to file a fresh application. The O.A. is dismissed as having been withdrawn. No order as to costs.

(O.P. SHARMA)
Member (A)

(GOPAL KRISHNA)
Vice Chairman

cvr.