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**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH AT JODHPUR**

Original Application No.161/2012

with

Misc. Application No.188/2012

Date of decision: 13.09.2012

CORAM

HON'BLE MR. G. GEORGE PARACKEN, JUDICIAL MEMBER
HON'BLE MR. B.K.SINHA, ADMINISTRATIVE MEMBER

Surendra Kumar Yogi S/o Shri Bhagwan Sahal Yogi, aged about 26 years, R/o Vrindavan Nagar, Sundarwas, Udaipur 313003, at present employed on the post of Postal Assistant in Udaipur HO 313004.

.....Applicant

Mr. J.K.Mishra, counsel for applicant.

Vs.

1. Union of India through Secretary to the Government of India, Department of Posts, Ministry of Communications & IT Dak Bhawan, Sansad Marg, New Delhi.
2. Senior Superintendent of Post Offices, Udaipur Division, Udaipur.
3. The Postmaster, Udaipur Head Post Office 313004.

...Respondents

Mr. Ankur Mathur, proxy for Mr. Vinit Mathur, counsel for respondents.

ORDER

Per : Hon'ble Mr. G.George Paracken, Judicial Member

The applicant has filed the ~~original~~ application seeking the following reliefs:

- (i) That impugned charge dated 25.4.2011 (Annexure-A/1), penalty order dated 30.03.2012 (Annexure-A/2), imposing the penalty of recovery of Rs.87,761/- passed by 2nd respondent may be declared illegal and the same may be quashed. The respondents may be directed to allow all consequential benefits including refund of any amount deducted from his salary, if any, as if the impugned orders were never in existence.
 - (ii) That any other direction, or orders may be passed in favour of the applicant which may be deemed just and proper under the facts and circumstances of this case in the interest of justice.
 - (iii) That the costs of this application may be awarded."
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2. The respondents have filed their reply after serving an advance copy of the same to the applicant's counsel and it is on record.

3. Later on, the applicant has filed MA No.188/2012 seeking permission to this Tribunal to withdrawing the OA No.161/2012.

4 In view of the above position and for the reasons stated therein, this MA is allowed and the OA is accordingly dismissed as withdrawn.

No order as to costs.



[BK Sinha]
Administrative Member



[G. George Parackal]
Judicial Member