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Central Administrative Tribunal, Circuit Bench,

Lucknow.

Registration (C.A. No. 291 of 1990)

Rafique and another

... Petitioners

Vs.

Union of India & others

... Opp. Parties

Hon'ble Mr. Justice K. Nath, VC,

Hon'ble Mr. M.M. Singh, AM

JUDGMENT

(Delivered by Hon'ble Mr. Justice K. Nath, VC)

Heard the learned counsel for the applicants.

We find that there is a mis-joinder of parties as well as the causes. Hifaz Uddin, EDBPM having died, the applicant no. 1 Rafique Alam, who is son of Hifaz Uddin, has prayed for his appointment on compassionate ground, whereas the applicant no. 2, Alam Shah, who is a nephew of Hifaz Uddin, has prayed for his appointment, both on compassionate ground and on merit in view of the fact that he has worked as substitute for Hifaz Uddin for some time and later on as EDDA before the respondent no. 4 was appointed as EDBPM on regular basis. We find that there is a multifariousness / mis-joinder ~~and~~ of the causes. The learned counsel for the applicants for permission requests to withdraw this petition with liberty to file a fresh. This application is, therefore, dismissed as withdrawn, with liberty to file fresh petition, if be advised.

A copy of this order may be given to the counsel for the applicants within 24 hours.

(A.M.)

jl
(V.C.)

ES/

Dated : Lucknow
September 12, 1990.