

(P)

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Original Application No.1171/93

Tribunal's order.

Dated: 3.5.94

Shri M.S. Ramamurthy counsel for the applicant. Shri V.S. Masurkar counsel for the respondents.

M.P. 475/94 is from applicants at serial No.6, 12, 17 and 19 for withdrawing from the O.A. consequent on their selection to higher post in the scale of Rs. 975 - 1540. By way of interim relief given on 8.11.93, their reversion to lower scale of Rs. 750 - 940 from the currently held scale of Rs. 950 - 1500 was prevented. The applicant had appeared for the selection on 9.5.93 and the results were announced on 10.11.93 and it is evident that at the time of praying and granting interim relief, the results were not known. Now the prayer of the applicants is that they want to withdraw because they are not being allowed to join inspite of their selection to higher posts. We have gone through the order of the Division Bench dated 21.4.94 which directed the applicant to make appropriate application for withdrawal and allowed two weeks' time to the respondents to file reply and fixed the case for 2.6.94. Shri Masurkar for the respondents has opposed the hearing of the case urgently because according to him there is no urgency and secondly the orders of the Division Bench cannot be over ridden. We feel that if the four applicants have been selected on merits for a higher position they should not be denied the benefit of that higher selection on the ground of having enjoyed the interim relief of protection.