

43

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD  
BENCH : AT HYDERABAD

O.A.No.42 of 1990

Dt. of Decision: 28-2-1991

Between:-

1.D.Kumar  
2.K.Subrahmanyam .. Applicants

and

- 1.The Chief Personnel Officer  
South Central Railway,  
Rail Nilayam, Secunderabad-371.
- 2.The Chief Mechanical Engineer  
South Central Railway, Rail  
Nilayam, Secunderabad-500371.
- 3.The Deputy Chief Mechanical  
Engineer, Carriage Repair Shop,  
Personnel Branch, Tirupati.

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Respondents

Appearance:

For the Applicants : Shri V.Venkateswara Rao,  
Advocate.

For the Respondents : Shri N.R.Devaraj, Standing  
Counsel for Railways.

CORAM:

THE HONOURABLE SHRI B.N.JAYASIMHA, VICE-CHAIRMAN.

THE HONOURABLE SHRI D.SURYA RAO, MEMBER(JUDICIAL).

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To

1. The Chief Personnel Officer,  
South Central Railway,  
Railnilayam, Secunderabad-371
2. The Chief Mechanical Engineer,  
South Central Railway,  
Railnilayam, Secunderabad-371
3. The Deputy Chief Mechanical Engineer,  
Carriage Repair Shop  
Personnel Branch, Tirupathi.
4. One copy to Mr.v.Venkateswara Rao, Advocate, CAT.Hyd.Bench
5. One copy to Mr.N.R.Devraj, SC for Rlys, CAT.Hyd.Bench.
6. One spare copy.

Re & Lto

pvm

C.A.No. 42 of 1990

(ORDER OF THE BENCH DELIVERED BY HON'BLE VICE-CHAIRMAN,  
SHRI B.N.JAYASIMHA.)

1. In the above application we have heard the arguments of Shri V.Venkateswara Rao, learned Counsel for the applicants, and Shri N.R.Devaraj, learned Standing Counsel for Railways, on behalf of the respondents, and this case had been reserved for judgement on 31-7-1990. Now at this stage Shri Venkateswara Rao, learned Counsel for the applicants, submitted a letter dated 26-2-1991 in the Registry requesting that the matter in this C.A. may be posted back before the Bench as the applicants herein have advised him to withdraw the case. Shri Venkateswara Rao, therefore, seeks permission to withdraw the case with liberty to file a fresh application if the cause of action still subsists.
2. Shri N.R.Devaraj, learned Standing Counsel for the Railways, contends that there should be no condition to the withdrawal of the application.
3. In the circumstances stated by the learned Counsel for the applicants, the application is dismissed as withdrawn. No order as to costs.
4. Whether an application filed by the applicants at a later date is to be admitted or not will have to be determined at that time and we make no order at this stage on that aspect.

(Dictated in the Open Court)

*B.N.Jayasimha*  
(B.N.JAYASIMHA)  
VICE-CHAIRMAN

*D.Surya Rao*  
(D.SURYA RAO)  
MEMBER (JUDICIAL)

Date: 28-2-1991

*S*  
Deputy Registrar (A)

DR (4)  
SAC (2)

CHECKED BY

APPROVED BY

TYPED BY

COMPARED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH HYDERABAD

THE HON'BLE MR.B.N.JAYASIMHA : V.C.  
AND

THE HON'BLE MR.D.SURYA RAO : M(J)  
AND

THE HON'BLE MR.J.NARASIMHA MURTY : M(J)  
AND

THE HON'BLE MR.R.BALASUBRAMANIAN : M(A)

Dated: 28- 2-1991.

ORDER / JUDGMENT:

M.A./R.A. /C.A. NO.

in

T.A. No.

W.P. No.

O.A. No.

42/90

Admitted and Interim directions  
issued.

Allowed

Disposed of with direction

Dismissed

Dismissed as withdrawn

Dismissed for default

M.A. Ordered/Rejected.

No order as to costs.

