

**THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR
ORDER SHEET**

APPLICATION NO.: _____

Applicant (S)

Respondent (S)

Advocate for Applicant (S)

Advocate for Respondent (S)

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

01.07.2009

OA No. 240/2005

Mr. P.N. Jatti, Counsel for applicant.

Mr. Kunal Rawat, Sr. Standing Counsel for respondents.

Heard learned counsel for the applicant.

The applicant has challenged the validity of the order dated 16.03.2005 (Annexure A/1) and subsequent order dated 21.06.2005, which order was passed pursuant to the direction given by this Tribunal in the earlier OA. From perusal of the order dated 21.06.2005, it is revealed that applicant has not given any intimation for the period of absence which has been treated as 'dies-non' and thus has not followed the provisions of Rule 162 of Postal Manual Volume III. In Para No. 5 of the representation filed by the applicant, which has been placed as Annexure R/2, the applicant has stated that information of sickness has been given to the authority concerned but no contemporaneous record has been placed before us in order to give the finding that order of the competent authority is not sustainable.

Learned counsel for the applicant submits that at this stage he wants to withdraw this OA and will take up the matter with the appropriate authority thereby submitting the proof regarding intimation of his absence for the aforesaid period and as such there is no violation of provisions of Rule 162 of Postal Manual Volume III.

In view of what has been stated above, the applicant is permitted to withdraw this OA. It is will be permissible for the applicant to make appropriate representation regarding the aforesaid aspect along with documentary proof, which the authority concerned shall consider it sympathetically.

*copy given vide
No 4805 MB1
02/7/09*

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The OA is disposed of accordingly as having
been withdrawn.


(B.L. KHATRI)
MEMBER (A)


(M.L. CHAUHAN)
MEMBER (J)

AHQ