

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
JAIPUR BENCH

Jaipur, this the 15<sup>th</sup> October, 2008

**ORIGINAL APPLICATION NO. 460/2006**

**With**  
**MISC. APPLICATION NO. 341/2006**

**CORAM:**

HON'BLE MR. M.L. CHAUHAN, JUDICIAL MEMBER  
HON'BLE MR. B.L. KHATRI, ADMINISTRATIVE MEMBER

Mahesh Chandra Joshi son of Shri Bhawani Shankar Joshi, aged about 71 years, resident of 197 Mahatma Gandhi Nagar, DCM, Ajmer Road, Jaipur.

.....APPLICANT

(By Advocate: Mr. Virendra Lodha)

VERSUS

1. Union of India through General Manager, North Western Railway, Jaipur.
2. Divisional Railway Manager, North Western Railway, Jaipur.

.....RESPONDENTS

(By Advocates: Mr. V.S. Gurjar)

**ORDER (ORAL)**

The applicant has filed this OA whereby his main grievance is regarding his promotion in the grade of Rs.2375-3500 when his junior was promoted with all consequential benefits.

2. The applicant has also moved a Misc. Application for condonation of delay in which it has been stated that order of major penalty was recalled vide order dated 24.08.1992, as such his case was required to be considered subsequently. From the material placed on record, it is

also evident that applicant had retired on superannuation on 31.05.1993 whereas the present OA has been filed in the year 2006 after a lapse of 13 years from the date of retirement.

3. We have heard the learned counsel for the parties. After hearing the learned counsel for the parties, learned counsel for the applicant on instructions from his client submits that he does not want to press this OA at this stage as he will raise his grievances before the departmental authorities.

4. In view of this submission made on behalf of the learned counsel for the applicant, the applicant is permitted to withdraw this OA as well as MA with liberty reserved to him to agitate the matter before the departmental authorities. It is made clear that we have not expressed any opinion on merit of the case.

5. With these observations, the OA as well as MA are disposed of with no order as to costs.

  
**(B.L. KHATRI)**  
**MEMBER (A)**

  
**(M.L. CHAUHAN)**  
**MEMBER (J)**

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