

**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
	<p>16.04.2008.</p> <p><u>OA No. 124/2008</u></p> <p>Mr. Shiv Kumar, Counsel for applicant.</p> <p>Heard learned counsel for the applicant.</p> <p>The OA is disposed of by a separate order for the reasons recorded therein.</p> <p><i>(Signature)</i> (J.P. SHUKLA) MEMBER (A)</p> <p><i>(Signature)</i> (M.L. CHAUHAN) MEMBER (J)</p> <p>AHQ</p>

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH

Jaipur, this the 16th day of April, 2008

ORIGINATION APPLICATION NO. 124/2008

CORAM:

HON'BLE MR. M.L. CHAUHAN, JUDICIAL MEMBER
HON'BLE MR. J.P. SHUKLA, ADMINISTRATIVE MEMBER

Bal Ram son of Rampal aged about 55 years resident of Plot No. 38, Behind Jail, Bajeri, Sawaimadhopur (Rajasthan). At present employed on the post of Driver in the office of SCC(P. Way) Sawaimadhopur, Western Central Railway, Kota Division.

.....APPLICANT

(By Advocate: Mr. Shiv Kumar)

VERSUS

1. Union of India through General Manager, Western Central Railway, Jabalpur (MP).
2. The Divisional Railway Manager, Western Central Railway, Kota Division, Kota, Rajasthan.
3. The Sr. Divisional Engineer (Co-ordination) (Estt.), Western Central Railway, Kota Division.

.....RESPONDENTS

(By Advocate: ——)

ORDER (ORAL)

Applicant has filed this OA thereby praying for the following relief:-

"(i) That the respondents may please be directed to pass necessary order in light of judgment dated 16.10.1995 passed by Central Administrative Tribunal, Jaipur Bench, Jaipur in Original Application No. 167/1992, Bal Ram Versus Union of India & Others and the respondents may please be further directed to issue posting order in favour of applicant on the post of Truck Driver in the pay scale of Rs.950-1500 revised pay scale Rs.3050-4590 against the regular post/vacancy in light of judgment dated 16.10.1995 and applicant may please be given all necessary consequential benefits. Further the respondents may please also be directed to furnish the

details of vacancy/post for the post of Driver pay scale Rs.950-1500 revised pay scale Rs.3050-4590 in the interest of justice.

- (ii) Any other order/direction/relief(s) may be passed in favour of applicant which may be deemed fit, just and proper under the facts & circumstances of this case.
- (iii) That the cost of this application may be awarded."

2. Earlier the applicant has also filed OA No. 434/2007 which OA was based on the order dated 16.10.1995 passed by this Tribunal in OA No. 167/1992. This Tribunal while considering the case of the applicant has permitted the applicant to withdraw the OA with permission to approach the authorities. Admittedly, the applicant has not filed any representation before the authorities but approached this Tribunal for the aforesaid relief.

3. We have heard the learned counsel for the applicant. Learned counsel for the applicant submits that he wants to withdraw this OA at this stage and re-agitate the matter before the authorities pursuant to the order dated 12.12.2007 passed in OA No. 434/2007 within 15 days from today.

4. In view of what has been stated above, the applicant is permitted to withdraw this OA with liberty to approach before the higher authorities in light of observations made in OA No. 434/2007. In case the applicant files representation within 15 days from today, in that eventuality the appropriate authority shall decide the same expeditiously in accordance with law.

5. With these observations, the OA is disposed of at admission stage.


(J.P. SHUKLA)
MEMBER (A)


(M.L. CHAUHAN)
MEMBER (J)

AHQ