

**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

28.07.2008.

OA No. 274/2008

Mr. Arvind Gupta, Counsel for applicant.

Heard learned counsel for the applicant at length.

Learned counsel for the applicant submits that he wants to withdraw this OA with liberty to file Writ Petition before the Hon'ble High Court. Even otherwise also the applicant has been given appointment on contractual basis and the terms & conditions of the appointment are governed by contract executed between the Railway authorities and the applicant. Thus the statutory rules applicable to the railway servants which stipulate grant of maternity leave is not applicable to the applicant. Further there is no condition stipulated in the contract regarding grant of maternity leave to the applicant as the applicant cannot be said to be a Railway Servant to whom Railway rules like other temporary/permanent employee are applicable. Rather as already stated above, the terms and conditions of appointment of applicant is governed by contract.

In view of what has been stated above, the applicant is permitted to withdraw this OA with liberty to her to institute appropriate proceedings regarding her grievances in proper forum.

Accordingly, the OA is disposed of as having been withdrawn.

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

AHQ

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18.7.08  
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