

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
JAIPUR BENCH

Jaipur, this the 17<sup>th</sup> day of August, 2010

**ORIGINAL APPLICATION NO. 212/2009**

**WITH**

**MISC. APPLICATION NO. 150/2009**

**CORAM**

HON'BLE MR. M.L. CHAUHAN, JUDICIAL MEMBER

Hanuman Sahai Meena son of Late Shri Birdhi Chand Meena by caste Meena, aged about 28 years, resident of Bayadwala ki Dhani, Village Bhavpura, P.O. Benada, Via Bassi, Tehsil JR Garh, Jaipur.

.....Applicant

(By Advocate: Mr. P.N. Jatti)

VERSUS

1. Union of India through the Secretary to the Government of India, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi.
2. Chief Postmaster General, Rajasthan Circle, Jaipur.
3. Superintendent Post Officer, Jaipur (MFL), Nagar Shastri Nagar, Jaipur.

.....Respondents

(By Advocate: Mr. Gaurav Jain)

**ORDER (ORAL)**

1. The applicant has filed this OA thereby praying for compassionate appointment. The grievance of the applicant is that his case has not been considered by the respondents despite the fact that he had made a representation in the year 2009.

2. The respondents have filed reply. Alongwith the reply, the respondents have annexed a copy of the order dated 12.03.2003 (Annexure R/6), which has been addressed to the applicant, Perusal of which reveals that the case of the applicant for compassionate appointment has been rejected vide order dated 12.03.2003. Thus

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the contention of the applicant that his case has not been decided by the respondents is wrong.

3. Be that as it may, learned counsel for the applicant submits that he wants to withdraw this OA with liberty reserved to him to challenge the validity of the order dated 12.03.2003 (Annexure R/6) whereby the case of the applicant for compassionate appointment has been rejected.

4. In view of what has been stated above, the applicant is permitted to withdraw this OA with liberty reserved to him to file substantive OA for the same cause of action. It is, however, made clear that it will be permissible for the respondents to raise all permissible objections in the OA to be filed by the applicant.

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

6. In view of the order passed in the OA, no order is required to be passed in MA No. 150/2009, which shall also stand disposed of accordingly.

  
(M.L. CHAUHAN)  
MEMBER (J)

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