

CENTRAL ADMINISTRATIVE TRIBUNAL  
JAIPUR BENCH, JAIPUR

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**ORDERS OF THE BENCH**

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**Date of Order: 03.05.2012**

OA No. 160/2012 with MA No. 120/2012

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

Mr. Mukesh Agarwal, counsel for respondent nos. 1 to 4.  
None present for respondent no. 5.

Heard learned counsel for the parties.

M.A. is dismissed and O.A. is disposed of by a separate order on the separate sheets for the reasons recorded therein.

*K.S. Rathore*  
(JUSTICE K.S. RATHORE)  
MEMBER (J)

Kumawat

CENTRAL ADMINISTRATIVE TRIBUNAL  
JAIPUR BENCH, JAIPUR

ORIGINAL APPLICATION NO. 160/2012  
With  
MISC. APPLICATION NO. 120/2012

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DATE OF ORDER: 03.05.2012

**HON'BLE MR. JUSTICE K.S. RATHORE, JUDICIAL MEMBER**

Beni Prasad Tinker S/o Shri Ratan Lal Tinker, by caste Tinker, aged about 39 years, R/o H.No. 1692, Thatheron Ka Rasta, SMS High Way, Jaipur, presently working as UDC in the O/o Survey of India RGDC, (Rajasthan Geo Spatial Data Centre) Great ARC Bhawan, Sector-10, Vidhya Dhar Nagar, Jaipur – 302023.

...Applicant  
Mr. P.N. Jatti, counsel for applicant.

VERSUS

1. Union of India through the Secretary to the Department of Survey of India, Ministry of Science and Technology, New Mehroli Road, New Delhi.
2. The Surveyor General of India, Survey of India, Dehradoon (Uttarakhand), India.
3. The Additional Surveyor General Western Zone, Sector-10, Vidhya Dhar Nagar, Jaipur-302023.
4. Director RGDC (Rajasthan Geo Spatial Data Centre) Survey of India, Great ARC Bhawan, Sector-10, Vidhya Dhar Nagar, Jaipur – 302023.
5. Shree K.R. Meena, Additional Surveyor General, Western Zone, Jaipur (Rajasthan).

...Respondents

Mr. Mukesh Agarwal, counsel for respondent nos. 1 to 4.  
None present for respondent no. 5.

ORDER (ORAL)

Heard on the Misc. Application No. 120/2012 filed on behalf of the applicant for seeking permission to amend the Original Application No. 160/2012.

2. Having considered the aspect that the subsequent events have been taken place as the fresh speaking order dated



07.03.2012 (Annex. R/1) has been passed by the respondents, and as such fresh cause of action is available to the applicant to challenge the same, therefore, in view of this fact, I am not convinced with the contentions raised in the Misc. Application for seeking amendment in the present Original Application, as such the Misc. Application No. 120/2012 stands dismissed.

3. At this stage, the learned counsel appearing for the applicant wishes to withdraw the present Original Application with liberty to file substantive Original Application to challenge the impugned order dated 07.03.2012 (Annex. R/1). Learned counsel for the applicant prayed that one week's time may be granted to the applicant to file substantive O.A., and till then the applicant may not be relieved, if he has not been relieved so far in pursuance to the order dated 10.04.2012 passed by this Bench of the Tribunal in MA No. 91/2012.

4. In view of the above, the Original Application stands disposed of as withdrawn with liberty to the applicant to file substantive Original Application to challenge the impugned order dated 07.03.2012 (Annex. R/1) within one week's time and till then the applicant may not be relieved, if he has not been relieved so far in pursuance to the order dated 10.04.2012 passed by this Bench of the Tribunal in MA No. 91/2012.

*K.S. Rathore*  
(JUSTICE K.S. RATHORE)  
MEMBER (J)