

**CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI**

**T.A No. 32/2015**

New Delhi this the 20<sup>th</sup> day of October, 2016

**Hon'ble Mr. Justice M. S. Sullar, Member (J)**  
**Hon'ble Mr. K. N. Shrivastava, Member (A)**

Smt. Radha Chauhan  
R/o Jhuggi, Purana Loha Pul,  
Tikona Park, Police Barrack,  
Seelampur, Delhi.

....Applicant

(By Advocate : Mr. Satya Prakash)

Versus

1. Govt. of NCT of Delhi  
(Through the Directorate General  
Of Home Guards, Delhi)
2. Commissioner of Police,  
Delhi Police Headquarters,  
Delhi.
3. Union of India,  
(Through the Chief Medical Officer,  
Ram Manohar Lohia Hospital,  
Baba Kharak Singh Marg,  
New Delhi-110 001.

....Respondents

(By Advocate : Mr. Vijay Pandita for R-1, Ms. Harvinder Oberoi for R-2 and  
Dr. CH. Shamsuddin Khan for R-3)

O R D E R (O R A L)

**Justice M. S. Sullar, Member (J).**

During the course of arguments, the learned counsel for the respondents has raised a preliminary objection of maintainability of the instant Transfer Application (T.A), in this Tribunal. In this regard, he has contended with some amount of vehemence that, assuming for the sake of arguments (though not admitted), the applicant was a member of Home Guard at the relevant time, even then this Tribunal has no jurisdiction to decide the case, in view of the ratio of law laid down by a Division Bench of

Hon'ble Delhi High Court in case of **Rajesh Mishra & Ors. Vs. Govt. of NCT of Delhi & Ors.** in C.W.P. 4388/2001 decided on 29.04.2002.

2. Faced with the situation, learned counsel for the applicant intends to withdraw the T.A, to enable the applicant, to seek her appropriate remedies, in accordance with law.

3. Therefore, the T.A is hereby dismissed as withdrawn with the aforesaid liberty, as prayed for.

(K. N. Shrivastava)  
Member (A)

(Justice M. S. Sullar)  
Member (J)  
20.10.2016

/Mbt/