

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

O.A No. 2131/2016

New Delhi this the 7th day of November, 2016

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

Desh Raj, S/o. Sh. Ratan Lal, Aged 26 years,
Youth Assistant (Grade-III), Group C,
R/o. RZF 269, St. No. 7,
Raj Nagar PII, Palam Colony,
New Delhi-77.

....Applicant

(By Advocate: Mr. Shrigopal Aggarwal)

Versus

Union of India through

1. Secretary (YA)
Govt. of India
Ministry of Youth Affairs & Sports,
Directorate of NSS,
12/11, Jam Nagar House,
New Delhi-11

2. Jt. Secretary (YA)
Govt. of India
Ministry of Youth Affairs & Sports,
Directorate of NSS,
12/11, Jam Nagar House,
New Delhi-11

...Respondents

(By Advocate: Mr. Yogesh Mahur for Mr. Gyanendra Singh)

O R D E R (O R A L)

Hon'ble Mr. Justice M. S. Sullar, Member (J) :

The applicant, Shri. Desh Raj, S/o. Sh. Ratan Lal, has preferred the instant Original Application (O.A), challenging the impugned order dated 03.06.2016 (Annexure A/1) (Colly.), whereby, having completed the

training period, he was posted as Youth Assistant, Grade III in the office of NSS Regional Directorate, Jaipur, (Rajasthan) and the impugned order dated 16.06.2016, vide which his representation dated 06.06.2016 (Annexure A/3) to post him in the office of NSS at Delhi, was rejected by the competent authority. He claimed that impugned orders are arbitrary and illegal.

2. The respondents refuted the claim of the applicant and filed the reply, wherein it was pleaded that applicant was appointed to the post of Youth Assistant Grade III by Staff Selection Commission. He was posted in office of NSS Regional Director, Jaipur vide impugned order dated 03.06.2016. It was pleaded that since action of respondents to post the applicant at Jaipur is just and proper, so, he is not entitled for any relief. That being so, the respondents have prayed for dismissal of the O.A. It is not a matter of dispute that applicant has already joined on the indicated post at Jaipur.

3. During the course of arguments, when the learned counsel for applicant was confronted with the situation as to how and in what manner the impugned appointment/posting order (Annexure A/1) is illegal, then he failed to urge any cogent ground in this regard.

4. Faced with the situation, the learned counsel intends to withdraw the O.A to enable the applicant to file a fresh representation to redress his personal grievances before the competent authority, at the first instance.

5. Therefore, the O.A is hereby dismissed as withdrawn, with the aforesaid liberty, as prayed for.

Needless to mention, in case the applicant files the fresh representation, the same will be sympathetically considered by the competent authority, in accordance with law.

(P.K. Basu)
Member (A)

(Justice M.S. Sullar)
Member (J)
07.11.2016

/Mbt/