

**CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH  
NEW DELHI**

OA No.4284/2017

This the 26<sup>th</sup> day of March, 2018

**Hon'ble Shri K N Shrivastava, Member(A)**

Mohd. Suhaib  
S/o Mazhar Hasan  
R/o V & PO – Budha Khera (Chilkana)  
Saharanpur UP. ...Applicant

(By Advocate: Shri Ashwin Vaish)

Versus

1. Trifed (Tribal Cooperative Marketing Development Federation of India Ltd.)  
Through its Managing Director  
11nd Floor, August Kranti Marg,  
N.C.U.I., Building,  
Sri Fort Institutional Area  
New Delhi.
2. Union of India, Through  
Its Secretary to the Government of India,  
Ministry of Tribal Affairs  
Shastri Bhawan  
New Delhi-110001. ....Respondents

(By Advocate: Shri Yudhishter Sharma)

**O R D E R (O R A L)**

Through the medium of this OA the applicant has prayed for the following reliefs:-

- “(a) Issue an appropriate direction to the Respondent no.1 to conclude the departmental proceedings in accordance with Law within a span of six months; and

- (b) Issue an appropriate order/direction to the Respondent no.1 send the disputed hotel bills & other documents at Annexure-P-3, to obtain the opinion of a hand-writing expert of CFSL/FSL, Delhi or such other reputed private organization such as Truth Lab Forensic Services, A-I/106, Ground Floor, Safdarjung Enclave, Behind Ambience Public School, New Delhi – 110 029; and
- (c) Issue an appropriate order/direction to the respondent no.1 to release the monies due to the Petitioner in terms of leave encashment & gratuity due in the sum of Rs.23,00,000- (Rupees Twenty Three Lacs only) approximately, alongwith interest w.e.f. 01.10.15 after with-holding amount to be allegedly claimed to be recovered in the sum of Rs. Two Lac approximately.”

2. It is noticed that all the reliefs claimed are against respondent No.1, i.e., Tribal Cooperative Marketing Development Federation of India Ltd.(TRIFED). The Tribunal does not have jurisdiction over respondent No.1. When this issue was pointed out to learned counsel for the applicant, he prayed for leave of the Tribunal to withdraw this Application and take recourse to appropriate remedy as available to the applicant under law.

3. Prayer is allowed. OA is dismissed as withdrawn with liberty as prayed for.

**(K. N. Shrivastava)**  
**Member (A)**

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