

CENTRAL ADMINISTRATIVE TRIBUNAL,
MUMBAI BENCH, MUMBAI.

ORIGINAL APPLICATION NO.164/2017

Date Of Decision:-9th March, 2018.

**CORAM: HON'BLE SHRI ARVIND J. ROHEE, MEMBER (J).
HON'BLE SHRI R. VIJAYKUMAR, MEMBER (A).**

Shri Manohar Maroti Wakodikar
Age 52 years.
Working as Senior Examiner of Trade
Marks and Geographical Indications
R/at 203, Yamuna Building,
Lok Gram Kalyan (E) 421306. ... **Applicant**

(Applicant by Advocate Shri. Vicky Nagrani)

Versus

1. Union of India,
Through the Secretary,
Ministry of Commerce and Industry,
Department of Industrial Policy and
Promotion, Udyog Bhawan,
New Delhi 110 107.
2. Controller General of Patents,
Designs & Trade Marks
Boudhik Sampada Bhavan,
Antop Hill, S.M. Road,
Mumbai 400037.
3. The Chairman
UPSC, Dholpur House,
Shahjahan Road,
New Delhi 110069 ... **Respondents**

(By Advocate Shri R.A. Rodrigues)

ORDER (ORAL)

PER:- SHRI. Arvind J. Rohee, MEMBER (J)

Not on Board. However, taken up on
mention made by Shri Vicky Nagrani, learned
Advocate for the applicant. Today he has

filed a pursis on instructions received from the applicant seeking permission to withdraw the present OA on the ground that he has already got the relief.

2. In this OA, the following reliefs are sought:-

"8(a) This Hon'ble Tribunal may graciously be pleased to call for the records of the case from the respondents and after examining the same, quash and set aside the impugned advertisement No.9/2016 only in respect of 9 post of Assistant Registrar in the office of Trade Mark and order dated 12.07.2012 only to the extent of promoting him w.e.f. 12.07.2012 instead of actually promoting him w.e.f. 2010 and order dated 21.09.2016 with all consequential benefits.

(b) This Hon'ble Tribunal may further be pleased to direct the respondents to forthwith hold yearwise DPCs for promotion to the post of Sr. Examiner from the year 2010 onwards and effect yearwise promotions to the posts of Sr. Examiner from 2010 onwards.

(c) On holding yearwise DPCs for promotion to the posts of Sr. Examiner from the year 2010 onwards, respondents be directed to consider the case of the applicants for promotion to the posts of Assistant Registrar against the available vacant post.

(d) Costs of the application be provided for.

(e) Any other and further order as this Hon'ble Tribunal deems fit in the nature and circumstances of the case be passed."

3. Although the respondents are served with the Notice and Shri Rui Rodrigues, learned Advocate represented the respondents on previous occasion, the reply is not forthcoming.

4. However, considering request made by learned Advocate for the applicant seeking permission to withdraw the present OA, the permission as sought is granted.

5. The OA stands dismissed as withdrawn unconditionally, however with no order as to costs.

6. Registry to issue certified copy of this order to both the parties.

(R. Vijaykumar)
Member (A)

(A.J. Rohee)
Member (J)

ma.