

**Central Administrative Tribunal
Principal Bench**

OA No.1327/2019

New Delhi, this the 29th day of April, 2019

**Hon'ble Sh. Justice L. Narasimha Reddy, Chairman
Hon'ble Ms. Aradhana Johri, Member (A)**

Anupam Anand,
Director Personnel (Under Suspension),
Hindustan Copper Limited,
Office at Tamra Bhawan, 1, Ashutosh
Chowdhury Avenue, Kolkata-700 019
W.B.

...Applicant

(By Advocate : Shri Subodh Kumar Pathak)

Versus

1. Union of India, Ministry of Mines,
Government of India, New Delhi.
Shastri Bhawan, Rajendra Prasad Road,
New Delhi. Through Secretary.
2. Hindustan Copper Limited,
A Government of India Enterprise,
Office at Tamra Bhavan, 1,
Ashutosh Chowdhury Avenue,
Kolkata-70016,
West Bengal. Through its C.M.D.
3. The Chairman-cum-Managing Director,
Hindustan Copper Limited,
A Government of India Enterprise,
Office at Tamra Bhavan, 1, Ashutosh
Chowdhury Avenue, Kolkata-70016,
West Bengal.

...Respondents

(By Advocate : Shri Naresh Kaushik with Shri Vibhav
Misra, Shri Vardhaman Kaushik, Mr. Manoj Joshi and
Shri Rahul Sharma)

ORDER (ORAL)**Justice L. Narasimha Reddy, Chairman :-**

This case was initially filed in the Hon'ble Delhi High Court as WP(C) No.4275/2019. The Hon'ble High Court directed transfer of the Writ Petition to this Tribunal, on finding that it relates to service matters of an employee of the Central Government/PSU. On such a transfer, the case was assigned an OA number.

2. The cause of action for the applicant to file the Writ Petition/OA is the order dated 11.04.2019, through which he was placed under suspension. However, in the OA, the applicant prayed for several reliefs which are independent of each other. For example, he challenged a) the order of suspension, b) the Resolution passed by the Board of Governors and; c) independently sought for a direction to initiate certain proceedings against CVO and competent authority of the Hindustan Copper Limited. In addition to them, some other reliefs have also been claimed.

3. The OA was argued at some length. When it was pointed out to the learned counsel for applicant as to

how a single OA with so many prayers, which are independent of each other, can be entertained, he sought leave of the Tribunal to withdraw the OA, without prejudice to the rights of the applicant to file the OA, in accordance with law. Permission is accorded and the OA is dismissed a withdrawn, leaving it open to the applicant to file a fresh one, in accordance with law.

There shall be no order as to costs.

(Aradhana Johri)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

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