

**Central Administrative Tribunal
Principal Bench**

OA No.2341/2019

New Delhi, this the 14th day of August, 2019

**Hon'ble Justice L. Narasimha Reddy, Chairman
Hon'ble Sh. Mohd. Jamshed., Member (A)**

Jitendra Singh Rawat
S/o Late Sh. P.s. Rawat
R/o 10C, Type 6
Hudco Place, New Delhi-49.Applicant

(By Advocates: Sh. Diwakar Goel and Sh. Arpit
Maheshwari)

Vs

1. Union of India
Ministry of Civil Aviation
Through its Secretary
Rajiv Gandhi Bhawan
Safdarjung Airport
Aurobindo Marg, New Delhi-63.
2. Union Public Service Commission
Through its Secretary
Shahjahan Road, New Delhi-01.
3. Department of Personnel and Training
North Block, Central Secretariat
New Delhi-01.Respondents

(By Advocates: Ms. Anjana Gosain, Ms. Shalini Nair,
Ms. Himanshi and Shri R.V. Sinha)

ORDER(ORAL)**Justice L. Narasimha Reddy:**

The applicant initially filed Writ Petition No.8258/2019 before the Hon'ble Delhi High Court, raising several contentions in the context of appointment to the post of Director General, Civil Aviation. On an objection raised by the respondents, the Writ Petition was transferred to this Tribunal and it was renumbered as OA.

2. We heard Shri Diwakar Goel and Shri Arpit Maheshwari, learned counsel for the applicant and Ms. Anjana Gosain, learned counsel for the respondents at length.

3. The applicant contends that the appointment to the post of DGCA by way of deputation is contrary to the Recruitment Rules, that were in force in the year 2005. However, he did not choose to implead the officer who has been appointed. Added to that, the applicant filed the Writ Petition, the day on which he was attaining the age of superannuation. When these

aspects are pointed out, learned counsel for the applicant sought permission of the Tribunal to withdraw the OA with liberty to file a fresh one.

4. We accord permission. OA is dismissed as withdrawn. It is left open to the applicant to file a fresh OA, if he so wants, in accordance with law. There shall be no order as to costs.

(Mohd. Jamshed)
Member(A)

(Justice L. Narasimha Reddy)
Chairman

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