

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH
HYDERABAD**

OA/20/585/2019

Dated: 09/07/2019

Between

J. Sunil Kumar,
S/o J. Lukanandam,
Aged about 43 years,
Occ: Section Officer,
CBSE, COE-Kakinada,
East Godavari District, A.P.

... Applicant

AND

1. The Union of India rep. by its
Secretary,
Dept. of School Education & Literacy,
Ministry of Human Resources Development,
New Delhi.
2. The Chairman,
Central Board of Secondary Education,
Preet Vihar,
New Delhi.
3. The Secretary,
Central Board of Secondary Education,
Preet Vihar,
New Delhi.
4. Sri Arvind Kumar Mishra,
S/o and aged not known,
Presently working as Asst. Secretary,
Central Board of Secondary Education,
Noida, U.P.

... Respondents

Counsel for the Applicant : Mrs. B. Geeta
Counsel for the Respondents : Mrs. K. Rajitha, Sr. CGSC

CORAM :

Hon'ble Dr. Bhagwan Sahai, Member (Admn.)
Hon'ble Mr. R.N. Singh, Member (Judl.)

ORAL ORDER
[Per: R.N. Singh, Member (Judl.)]

Heard Shri V. Mallik, learned senior counsel, assisted by Smt. B. Geeta, learned counsel for the applicant.

5. In the present O.A., the applicant has prayed for setting aside the promotion of the 4th respondent. The learned counsel for the applicant very fairly submits that the present relief is dependent upon the restoration of the seniority of the applicant, as per his claim made in OA/20/586/2019. He further submits that in OA/20/586/2019, he has challenged the seniority of the private respondent. Therefore, he seeks permission to withdraw the present O.A., with liberty to agitate the issue involved in the O.A. at appropriate stage, in accordance with rules.

6. In view of the above, the O.A. is dismissed as withdrawn with liberty as aforesaid. There shall be no order as to costs.

(R.N. SINGH)
MEMBER (JUDL.)

(DR. BHAGWAN SAHAI)
MEMBER (ADMN.)

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