

**CENTRAL ADMINISTRATIVE TRIBUNAL**  
**CIRCUIT BENCH AT RANCHI**

**O.A. NO. /51/00758/2019**

**CORAM**

**HON'BLE SHRI JAYESH V. BHAIKAVIA, MEMBER (JUDICIAL)**  
**HON'BLE SHRI DINESH SHARMA, MEMBER (ADMINISTRATIVE)**

**DATE OF ORDER 21.08.2019.**

Fulendra Kumar Sharma, s/o late Aklu Sharma, aged about 38 years, R/o Village Post harpur Bhindi, Madhopur, Didharua, P.S.- Tajpur, District- Samastipur (Bihar), At Present residing at C/o R.U. Thakur, Quarter No. 208/2/2, Road no. 12 Adityapur 2, P.O & P.s.-Adityapur District- Saraikela, Kharsawan.

.....Applicant

**By advocate : Shri Shashi Bhushan Kumar**

Versus

Union of India represented by Secretary, Ministry of Railway, Government of India, New Delhi, P.O.- P.S. & District- New Delhi and four others.

.....Respondents

**By Advocate : Shri Prabhat Kumar**

**ORDER (ORAL)**

**Jayesh V. Bhairavia, Member (Judl.) :-** In the instant O.A., applicant has sought relief for a direction upon the respondents to rectify the final list of candidates for appointment on the post of Sub Inspector, Railway Protection Force (RPF) in ex-serviceman (ST Category) and for including his name in the said merit list in view of the clause 2.0 of advertisement/employment notice no. S1/RP-2/2018, as one post was reserved for ST candidate in the ex-serviceman quota. Since the applicant was only candidate short listed in Group B before the publication of final merit list.

2. On the other hand, l/c for respondents raised preliminary objection on maintainability of this O.A and submitted that the employment and recruitment relating to post of Sub Inspector in Railway Protection for and Railway Protection Special Force (RPSF) does not falls within the jurisdiction of CAT. Therefore, he further submitted that this O.A is not maintainable on the ground of lack of jurisdiction.

3. At this juncture, l/c for applicant seeks permission to withdraw this O.A with a view to take legal recourse available under the law before appropriate court/forum.

4. Permission sought by the l/c for applicant is granted. Accordingly, this O.A stands disposed of with liberty to applicant to take legal recourse available under the law before appropriate court/forum. No costs.

(Dinesh Sharma)  
Member (Admn.)  
mks

(Jayesh V. Bhairavia)  
Member (Judl.)