

**CENTRAL ADMINISTRATIVE TRIBUNALCUTTACK BENCH, CUTTACK,
ORDER SHEET**

COURT NO. : 114/11/2019O.A./260/711/2014DINABANDHU PRUSTY

-V/S-

SURVEY OF INDIAITEM NO:34FOR APPLICANTS(S) Adv. :Mr. K. C. Kanungo

FOR RESPONDENTS(S) Adv.:Mr. B. Swain

Notes of The Registry	Order of The Tribunal
	<p>Ld. Counsels for both the sides are present.</p> <p>Ld. Counsel for the applicant filed a memo to withdraw the OA since on a similar issue regarding qualifying service for the purpose of ACP/MACP are pending before the Hon'ble High Court in a Writ Petition No. 6166/2010 filed by the applicant and 03 other employees. Ld. Counsel for the applicant also submitted that after disposal of the said Writ Petition by Hon'ble High Court, the OA may become infructuous. While he wanted to withdraw the OA, he submitted that the applicant may be given to liberty to file fresh OA after disposal of the Writ Petition, if his grievance is outstanding.</p> <p>Ld. Counsel for the respondents also agreed that the said Writ Petition as stated above is pending.</p> <p>In view of the above submissions, the OA is allowed to be withdrawn with liberty to the</p>

applicant to file fresh OA, as per the provisions of law, after disposal of the said Writ Petition by the Hon'ble High Court, if his grievance is still there. It is made clear that for the purpose of limitation of the said application, the date of filing of this OA may be taken into account, if fresh OA is filed before the Tribunal by the applicant.

Copy of this order be given to Ld. Counsels for the applicant and respondents. Memo filed by the applicant is taken on record.

(SWARUP KUMAR MISHRA)
MEMBER (J)

(GOKUL CHANDRA PATI)
MEMBER (A)

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