

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI.

ORIGINAL APPLICATION No.210/00099/2018

Date of Decision: 14th November, 2019

CORAM: DR. BHAGWAN SAHAI, MEMBER (A)
R.N. SINGH, MEMBER (J)

Smt. Geeta Yeole, residing at Koregaon Village,
 Tal. Walwa, District Sangli, Pin 416 302 P.O. Bangi
 (District: Sangli) Pin 416 302. .. *Applicant*
(By Advocate Shri Nagesh Y. Chavan)

VERSUS

1. Union of India, The Chief Post Master General
 Maharashtra Circle, (Head of Circle), Old GPO Building,
 2nd Floor, W.H.Marg, Fort at P.O. Mumbai GPO 400 001.
 Maharashtra State. Mumbai 400 001.
2. Post Master General, Goa Region, Panaji 403 001.
 HO Building Main Road, At PO Panaji Pin 403 001
 (Maharashtra State).
3. The Senior Superintendent of Post Offices,
 Sangli Division, Sangli, H.O. Compound, Main Road,
 At P.O. Sangli HO, District Sangli Pin 416 416
 (Maharashtra State).
4. Secretary, Department of Posts, Min of Common & IT,
 HQ 108-E, GA Section, Dak Bhavan, Sansad Marg,
 At P.O. New Delhi 110 001. ... *Respondents*

(By Advocate Shri V.S.Masurkar)

ORDER (Oral)

Per : Shri R.N. Singh, Member (J)

In the present MA, the applicant has
 prayed for the following reliefs:-

“8(a). This Hon'ble Tribunal may be pleased to
 call record and proceeding in respect of the
 impugned orders;

8(b). This Hon'ble Tribunal may be pleased to

quash and set aside the impugned Order/Letter No.All/GDSBPM Koregaon/ 2017 dated at Sangli 14.08.2017 issued by the Respondent No.3 the Senior Superintendent of Post Offices, Sangli Division, Sangli;

8(c). This Hon'ble Tribunal may be pleased to quash and set aside the impugned Order/Letter No.GR/Staff-II/Reptn./G.S. Yewale/Sangli/17-18 dated at Panaji the 10.10.2017 issued by the Respondent No.2 Post Master General, Goa Region, Panaji 403 001;

8(d). Pass any other and/or further order as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the present case, in light of justice equity and good conscience."

2. Pleadings are complete and listed for final hearing. During the course of hearing, the learned counsel for the respondents has taken a preliminary objection about maintainability of the OA. He submits that the applicant has not approached this Tribunal with clean hands in as much as his appointment, termination from which is under challenge has been the subject matter of OA No.494/2017 which was disposed of vide order/judgment dated 31.01.2019 of this Tribunal. He brings out to our notice that the present applicant has been the respondent No.5 in the said OA No.494/2017 and in spite of opportunities granted to him, he has preferred not to

contest the said OA.

3. In view of the aforesaid, the learned counsel for the applicant under instructions from the applicant who is stated to be present in the Court seeks permission to withdraw the present OA with liberty to take appropriate recourse in accordance with law.

4. In view of the aforesaid, the OA is dismissed as withdrawn with liberty to the applicant in accordance with law.

(R.N. Singh)
Member (Judicial)

(Dr. Bhagwan Sahai)
Member (Administrative)

*kmg**

