



\$~13

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

+

W.P.(C) 12253/2021

SUBE SINGH

..... Petitioner

Through: Counsel (appearance not received)

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Mr.Satya Ranjan Swain, SPC with
Mr.Kautilya Birat, Adv.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER

22.02.2024

%

1. The present writ petition under Articles 226 & 227 of the Constitution of India seeks to assail the order dated 20.09.2018 passed by the learned Central Administrative Tribunal (Tribunal) in O.A. No.3633/2014. Vide the impugned order, the learned Tribunal has rejected the petitioner's original application wherein he had prayed for the benefit of the Modified Assured Career Progression (MACP) Scheme to be extended to him.
2. From a perusal of the impugned order, we find that the learned Tribunal has rejected the petitioner's claim for MACP by taking into account that he had superannuated on 30.06.2008 and was therefore, not in service on 01.09.2008 i.e. the date when MACP Scheme came into effect.
3. When faced with this situation, learned counsel for the petitioner submits that the petitioner's grievance is not regarding non grant of



MACP but regarding the non-implementation of this Court's order dated 22.08.2013 passed in W.P.(C) 3380/2002. He, therefore, seeks leave to withdraw the present petition with liberty to avail of appropriate remedy as available under law.

4. The writ petition stands dismissed as withdrawn with liberty as prayed for.
5. It is, however, made clear that in case, the petitioner initiates any fresh proceedings, the same will be considered on its own merits.

REKHA PALLI, J

RAJNISH BHATNAGAR, J

FEBRUARY 22, 2024

kk