

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH NEW DELHI

O.A. No. 2223/1994

New Delhi, dated the 23th December, 1994

CORAM

Hon'ble Shri N.V. Krishnan, Vice Chairman (A)

Hon'ble Smt. Lakshmi Swaminathan, Member (J)

Shri Krishan Pal Singh

c/e Shri Tika Ram,

r/e V&PO Raipur Distt- Ghaziabad (UP) ... Applicant

(By Advocate Shri B.S. Mainee)

V/s

Union of India : through

1. The Secretary,
Ministry of Defence, South Block,
New Delhi
2. The Dy. Chief Administrative Officer,
Ministry of Defence, C-II Hutments,
Dalhousie Road, New Delhi.
3. Sr. Administrative Officer, M/O Defence
In the office of Jt. Secretary (Training)
& CAO C-II Hutments, Dalhousie Road,
New Delhi

... Respondents

(Sh. S. Ramlingam, Law Officer on behalf of
respondents)

ORDER (ORAL)

(Hon'ble Shri N.V. Krishnan, Vice Chairman (A))

Respondents have not filed counter affidavit.

However, on behalf of the respondents it is stated that

they wish to withdraw the impugned order by which notice

was issued to the applicant about the termination of his

service, with liberty to take action in accordance with law.

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2. The learned counsel for the applicant states that once the respondents have given an illegal notice to them, it is well settled law that the notice will have to be quashed. The point he makes is that it is not necessary for us to preserve their liberty to take further action.

3. We are of the view, that to save unnecessary litigation about the competence of respondents to take further action, it is necessary to provide such safe guard.

4. In view of the submissions made, the respondents are permitted to withdraw the impugned Ann-1 notice dated 24-10-1994 read with Ann.A-4 order dated 11-10-1994 regarding termination of the applicants' service with permission to take appropriate action in accordance with law. OA is therefore, dismissed as having been ^{come} infructuous. _e

Lakshmi Swaminathan
(Lakshmi Swaminathan)

Member (J)

N.V. Krishnan
23/12/94

(N.V. Krishnan)

Vice Chairman (A)

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