

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

OA.1974/89

Date of Decision: 7.7.93

Shri N.K. Pal

Applicant

Versus

Union of India and others Respondents

...

Applicant in person

Mrs. Raj Kumari Chopra Counsel for the respondents

CORAM:

The Hon. Mr. I.K. RASGOTRA, Member(A)

The Hon. Mr. C.J. ROY, Member(J)

JUDGEMENT (Oral)

(delivered by Hon. Member(J) Shri I.K. RASGOTRA)

The learned counsel for the respondents referred us to the decision of the Principal Bench in OA 974/87 decided on 1.12.1992, in which, the applicant Shri N.K. Pal has been provided the reliefs. The operative portion of the Judgement reads as follows:-

"Having regard to the facts and circumstances of the case and particularly the fact that the incident took place more than a decade before and that this petition itself has been pending in the Tribunal nearly 5 years, we do not consider it just and appropriate to allow continuance of the disciplinary proceedings in respect of this minor charge.

4. For the reasons stated above, this petition is allowed and the impugned order (Annexure A-6) dated 10.7.1986 is hereby quashed. The petitioner is entitled to consequential benefits, flowing from the quashing of the impugned order..."

The learned counsel for the respondents further made a statement at the Bar that it may not be necessary to pursue the issue raised in OA 1974/89 in view of the submissions received

by her that consequent to the judgement in OA 1974/89 decided on 1.12.1992, all dues which are legally due to the applicant will be considered by the respondents and provided to him.

At this stage, the applicant in person, submitted that he would like to withdraw this petition but he should be given liberty to agitate afresh, if any issue survives after the said judgement is implemented and dues given following the ~~directions of the~~ ^{directions of the} ~~President of the~~ OA 1974/87 decided on 1.12.1992.

2. Accordingly, the OA is dismissed as withdrawn reserving the liberty to agitate afresh any surviving issue before the Tribunal after a period of 6 months have lapsed from the date of communication of this order. No costs.

Suranjan Roy
(C.J. ROY)
MEMBER(J)
7.7.93

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Subhash
(I.K. RASBORTA)
MEMBER(A)
7.7.93