

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW DELHI

O.A. No. 497
T.A. No.

198 8.

DATE OF DECISION May 6, 1988.

Shri M.S. Tyagi

Petitioner

Shri G.N.Oberoi,

Advocate for the Petitioner(s)

Versus

Union of India & Ors.

Respondent(s)

Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. Justice K.Madhava Reddy, Chairman.

The Hon'ble Mr. Kaushal Kumar, Member.

1. Whether Reporters of local papers may be allowed to see the Judgement? Yes
2. To be referred to the Reporter or not? No
3. Whether their Lordships wish to see the fair copy of the Judgement? No
4. Whether to be circulated to other Benches? No

✓
(Kaushal Kumar)
Member

6.5.1988.

K. Madhava Reddy
(K. Madhava Reddy)
Chairman
6.5.1988.

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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
DELHI.

REGN. NO. OA 497/1988

May 6, 1988.

Shri M.S. Tyagi ...

Applicant.

Vs.

Union of India and others ...

Respondents.

CORAM:

Hon'ble Mr. Justice K.Madhava Reddy, Chairman.

Hon'ble Mr. Kaushal Kumar, Member.

For the applicant ... Shri G.N.Cberoi, counsel.

(Judgment of the Bench delivered by Hon'ble
Mr. Justice K.Madhava Reddy, Chairman).

This is an application by a Senior P.A.,
working in the Office of the C.A.C., Ministry of Defence,
New Delhi "to restrain the respondents from retiring
him from service as a result of review of the applicant's
case on the basis of Annual Confidential Reports and
from acting on malafide, delayed/undisposed of
representation on the adverse C.Rs. contravening extant
rules on the Annual Confidential Reports".

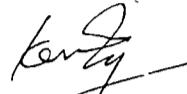
The applicant is a public servant who has crossed
50 years of age and the respondents have power to retire
any employee after a bonafide consideration of his
ACRs and assessment of his performance in the light
of the several decisions of the Supreme Court in this
behalf. We have no reason to doubt that the respondents
will act bona fide in making an assessment and in making
such order as they may deem fit. If the applicant

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is aggrieved by any order that may be made by the respondents, it is certainly open to him to challenge that order. The Competent Authority cannot be restrained from passing such order as it deems fit in the circumstances of the case. This application is accordingly dismissed.



(Kaushal Kumar)
Member
6.5.1988.



(K. Madhava Reddy)
Chairman
6.5.1988.