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DATE OF DECISION May 6, 1988.

Advocate for the Respondent(s)

6.5.1988.

(B)

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.Oberoi, counsel.

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

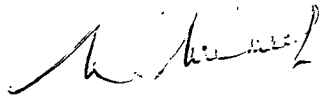
This is an application by a Senior P.A.,  
working in the Office of the C.A.C., Ministry of Defence,  
New Delhi "to restrain the respondents from retiring  
him from service as a result of review of the applicant's  
case on the basis of Annual Confidential Reports and  
from acting on malafide, delayed/undisposed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