

Central Administrative Tribunal, Principal Bench, New Delhi

O.A.No.2187/2004

Hon'ble Mr. Justice B. Panigrahi, Chairman
Hon'ble Mr. M.P. Singh, Vice Chairman(A)

New Delhi, this the 10th day of November, 2005

Jai Singh S/o Shri Amar Singh,
Working as Life-Guard
In the Babu Ram Govt. Sarvodaya Bal Vidyalaya,
Shahdara, Delhi-32
R/o House No.265,
Gali No.1, Bhola Nath Nagar,
Shahdara, Delhi-32

....Applicant

(By Advocate: Shri H.L. Srivastava)

Versus

1. The Director of Education,
Government of National Capital Territory of Delhi,
Old Secretariat,
Delhi-54
2. The Chief Secretary
To the Government of National Capital Territory of Delhi,
I.G.I. Stadium,
New Delhi-92
3. The Controller of Accounts,
A & B Block, Vikas Bhawan,
I.P. Estate, New Delhi-2
4. The Principal,
Babu Ram Govt. Sarvodaya Bal Vidyalaya,
Shahdara,
Delhi-32

....Respondents

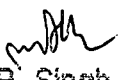
(By Advocate: Ms. Simran, proxy for Mrs. Avnish Ahlawat)

Order(Oral)

Justice B. Panigrahi, Chairman

In the midst of hearing, Shri Srivastava, the learned counsel appearing for the applicant sought leave to withdraw the application with liberty to file a fresh application upon the subsequent cause of action, if any.

2. On hearing the learned counsel appearing for both the parties, it has emerged that respondent authorities had allowed the ACP Scheme benefit to the applicant in the past but, of course, they took a stand that the applicant was not entitled to such benefit. On subsequent discovery of the said fact, they issued a show cause notice to the applicant. Since such subject-matter of controversy is not before us, we do not want to delve into such ~~an~~ aspect at this stage. It is open to the applicant to file reply to the show cause notice whereby the respondents wanted to review their earlier order by which they had granted the ACP Scheme benefit to the applicant. Respondents would be at liberty to take their own decision in the matter of grant/refusal of the ACP benefit after giving a chance of hearing to the applicant by passing a reasoned order. O.A. is disposed of.


(M.P. Singh)
Vice Chairman(A)

/dkm/


(B. Panigrahi)
Chairman