

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD.

Dated : This the 21st day of JANUARY 2004.

Original Application no. 1167 of 1997.

Hon'ble Mr. Justice S.R. Singh, Vice-Chairman
Hon'ble Mr. D.R. Tiwari, Administrative Member.

Jagdish Chand Ravi, S/o Laloo Singh,
L.I.G. 43 - Phase II - M.D.D.A. Colony, Indrapuram,
DEHRADUN.

... Applicant

By Adv : Sri B.N. Tiwari

V E R S U S

1. Union of India, through Central Provident Fund Commissioner,
Central Board of Trustees,
NEW DELHI.
2. Regional Provident Fund Commissioner,
UP Employees Provident Fund Organisation,
Regional Office, UP Nidhi Bhawan, Sarvodaya Nagar,
KANPUR.
3. Assistant Provident Fund Commissioner,
Employees Provident Fund Organisation,
Sub-Regional Provident Fund Office,
Niranjanpur, Post Office Mazra, Saharanpur Road,
DEHRADUN.
4. Regional Provident Fund Commissioner (Recovery),
Regional Office, Kanpur as the Enquiry Officer.
5. R.K. Saxena, Enforcement Officer,
C/o Regional Provident Fund Commissioner,
UP Kanpur as the Defence Assistant.

... Respondents

By Adv : Sri N.P. Singh

(42)

2.

ORDER

Justice S.R. Singh, VC

Heard Sri B.N. Tiwari learned counsel for the applicant and Sri N.P. Singh learned counsel for the respondents and perused the pleadings.

2. The OA is instituted against the order of dismissal from service dated 2.9.1997. It appears that the applicant had preferred an appeal against the impugned order, which has been disposed of during the pendency of the present OA. Order of dismissal from service has been modified by order dated 17.12.2003.

3. Learned counsel for the applicant submits that the OA may be dismissed as withdrawn with liberty to the applicant to file a fresh OA challenging the modified order passed by the appellate authority. There is no opposition to this prayer. The OA is, therefore, dismissed as withdrawn without prejudice to the right to the applicant to challenge the appellate order through fresh OA.

4. There shall be no order as to costs.

D. D. Deo,
Member (A)

Ranjit Singh
Vice-Chairman

/pc/