

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 24TH DAY OF DECEMBER, 1997

Original Application No. 1742 of 1992

HON.MR.JUSTICE B.C.SAKSENA,V.C.

HON.MR.S.DAS GUPTA, MEMBER(A)

Mool Chandd Sharma son of Sri Shyam lal  
Permanent reside of Maura Birahru  
Nagla Getthalia, Tehsil Kheragarh,  
District Agra at present reisent of  
Qr.M.A 137 A, Agra Cantt.

.. .. Applicant

(By Advocate Shri R.C. Kataria)

Versus

1. Union of India through the  
General Manager, Central Railway  
Victoria Terminus, Bombay.
2. The Divisional Railway Manager  
Central Railway Jhansi Division  
Jhansi
3. The Assistant Engineer(N)  
Central railway at Agra Cantt.

.. .. Respondents

(By Advocate Shri A.K. Gaur)

O R D E R(Oral)

JUSTICE B.C.SAKSENA,V.C.

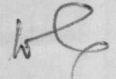
No one responded on behalf of the applicant when the case was called out neither there is any request for adjournment. Shri A.K. Gaur who represents for the respondents was present.

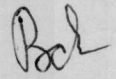
We have <sup>been</sup> taken through the pleadings on record. Though a counter affidavit was served on the learned counsel for the applicant which was sent by post to the applicant in December 1993 but no rejoinder affidavit has been filed. From the pleadings on record it appears that the applicant ~~was~~ retired on 1.7.1980. He claimed that he was entitled to continue in service upt attainment of 58 years. Perhaps there was some dispute <sup>with regard</sup> ~~on behalf~~ <sup>to</sup> his date of birth.

2. In the counter affidavit the respondents have filed a copy of an order passed by the Hon'ble Supreme court in an SLP against the order passed by the Hon'ble High court. Initially

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an interim order has been granted but subsequently since the SLP itself was dismissed by an order passed in September 1980 the interim order was also vacated. In the light of the above facts it appears that the applicant has lost his interest in prosecuting the OA. it is accordingly dismissed.

  
MEMBER(A)

  
VICE CHAIRMAN

Dated: 24th December, 1997

Uv/