

**CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH, CUTTACK**

OA No.711 of 2010  
**Cuttack, this the 19<sup>th</sup> November, 2010**

Dinabandhu Swain .... Applicant  
Versus  
Union of India & Others .... Respondents

CORAM

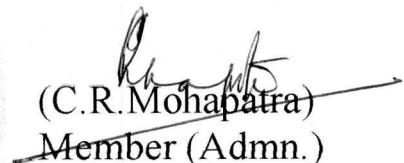
## **THE HON'BLE MR. C.R. MOHAPATRA, ADMN. MEMBER**

Applicant described himself in the cause title to be aged about 68 years has preferred this OA seeking direction to the Respondents for disbursement of the pension of the applicant; payment of other arrears dues if any forthwith. The Applicant has filed this OA without any material on the working of the Applicant in Railway and the date of retirement. In paragraph 4.5. it has been stated by the Applicant that the applicant was in continuous service for ten years from 1962 to 1972 whereas in the synopsis it has been stated that the applicant retired from service in the year 1980. Opportunity was allowed to the Applicant to remove the deficiencies pointed out above but the Learned Counsel instead of removing the defects filed an application stating therein that "the original documents of the applicant has

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been destroyed due to collapse of the wall in super cyclone" and, therefore the matter may be listed with defects for consideration. Accordingly this matter is listed today for consideration on the question of admission. On being questioned about the above deficiency and that if the applicant retired from service in the year 1980 how his age could be '68' years now, the Learned Counsel for the Applicant was unable to furnish any convincing reason – rather prayed to withdraw this OA which prayer was not objected to by Mr. S.K.Ojha, Learned Standing Counsel appearing on notice for the Respondents. This OA is held to be a bogus one having no legs to stand. However, in view of the prayer of the Applicant this OA is dismissed as withdrawn.

Copy of this order along with OA be handed over to Mr. S.K.Ojha, Learned Standing Counsel for the Railway for onward transmission to the Respondent N.2 for record and free copy of this order be given to Learned Counsel for both sides.

  
(C.R. Mohapatra)  
Member (Admn.)