

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

No. MA 549 of 98
(OA 519 of 96)

Present : Hon'ble Mr. Justice S.N.Mallick, Vice-Chairman
Hon'ble Mr. B.P.Singh, Administrative Member

P. SINGH
VS
UNION OF INDIA & ORS.

For the applicant : Mr. B.Chatterjee, counsel
Mr. A.K.Raychoudhury, counsel
Mr. D.P.Battacharjee, counsel

For the respondents: Mr. P.K.Arora, counsel

Heard on : 18.12.98

Order on : 18.12.98

O R D E R

S.N.Mallick, VC

In this MA the substituted petitioner has prayed for amending the relief paragraph as well as some averments in the application. The Original OA was filed by one S Nityananda Singh since deceased, the husband of the present substituted applicant for his regularisation in a Group 'D' post with consequential benefits. After the death of the said original applicant the present petitioner was substituted and in the instant MA she has prayed ~~for~~ inter alia for granting of pension and other retiral benefits including payment of family pension to the legal representatives. Such prayer cannot be allowed to be incorporated in an OA which is filed by the substitute of the original applicant. The 1d. counsel for the applicant submits an instruction that his client prays for withdrawal with liberty to sue fresh all the reliefs to which she is entitled. Mr. Arora, 1d. counsel for the respondents has no objection to the prayer. In such circumstances OA is also taken up as on day's list on consent of both parties and is disposed of with the following direction. The petitioner is granted leave to withdraw the OA with liberty to sue fresh if not otherwise barred. MA also stands disposed of along with the OA.

By my son

MEMBER (A)

in

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VICE-CHAIRMAN