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Date of Decision: 09.10.96

OA 217/96

Hukma Ram, Ex Sepoy, Central Excise & Customs, Jodhpur.

... Applicant

Versus

1. Union of India through the Secretary, Central Board of Direct Taxes, Ministry of Finance and Revenue, New Delhi.
2. The Collector (Now Commissioner), Central Excise & Customs Collectorate, NCRB, near Statue Circle, C-Scheme, Jaipur.
3. The Deputy Collector (P&V), Customs & Central Excise Collectorate, NCRB, near Statue Circle, C-Scheme, Jaipur.

... Respondents

CORAM:

HON'BLE MR. GOPAL KRISHNA, VICE CHAIRMAN

HON'BLE MR. S.P. BISWAS, ADMINISTRATIVE MEMBER

For the Applicant

... Mr.F.C.Sharma

For the Respondents

... Mr.O.P.Sawhney, brief holder for
Mr.K.S.Nahar

O R D E R

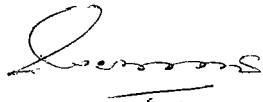
PER HON'BLE MR. GOPAL KRISHNA, VICE CHAIRMAN

Applicant, Hukma Ram, in this application u/s 19 of the Administrative Tribunals Act, 1985, has prayed for setting aside the impugned order, at Ann.A-1, dated 29.3.95, passed by the Deputy Collector, Customs & Central Excise, Jaipur, by which the penalty of removal from service was imposed upon him. It is further prayed that the appeal, at Ann.A-21, dated 14.4.95, made to the Collector, Customs & Central Excise Collectorate, Jaipur, may be ordered to be accepted with all consequential benefits.

2. We have heard the learned counsel for the applicant and Mr. O.P. Sawhney, brief holder for Mr. K.S. Nahar, counsel for the respondents.

3. The learned counsel for the applicant has produced a copy of the Order-in-Appeal dated 6.8.96, by which the applicant's appeal against the order of the disciplinary authority has been dismissed and the penalty of removal from service imposed on him has been confirmed. The said order of the appellate authority has been taken on record. The learned counsel for the applicant has stated that he wants to seek his remedy against the order of the appellate authority before an appropriate forum and he prays for permission to withdraw the present OA. Permission to withdraw this OA is

granted. The applicant shall be at liberty to file a fresh OA, if so advised. The OA stands dismissed as having been withdrawn. No order as to costs.



(S.P.BISWAS)

ADMINISTRATIVE MEMBER

VK

GKrishna

(GOPAL KRISHNA)

VICE CHAIRMAN

2/5