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CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD

LUCKNOW CIRCUIT BENCH

Registration T.A. NO.1928 of 1987

(W.P. No.4538 of 1985)

Bhuaneshwar Misra Applicant

Versus

Post Master General and Others
at Hazratganj, Lucknow Respondents

Hon.Mr.Justice K.Nath, V.C.

Hon.Mr. A.B. Gorthi, Member(A)

(By Hon.Mr.Justice K.Nath, V.C.)

We have heard Shri M.P.Sharma for the applicant in support of this amendment application. The original Writ Petition was filed on 4.9.85 for quashing disciplinary proceedings against the applicant on the basis of the chargesheet dated 17.3.83 contained in Annexure-1. During the pendency of the case, the disciplinary proceedings have ended in a punishment order dated 29.8.90. Amendment is sought to quash punishment order and to claim full pension. The applicant retired during the pendency of this petition. We think that the cause of action for quashing punishment order involved new facts and circumstances as compared with the cause of action for quashing the disciplinary proceedings themselves. The amendment prayed for therefore is not fit to be allowed. The application is rejected. It is of course open to the applicant to file an appropriate application under the Administrative Tribunals Act. The Writ Petition itself has become infructuous. The Writ Petition is therefore disposed of as infructuous.

Dt: 7th March, 1991.

Member (A)

Vice-Chairman