

CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH LUCKNOW

INDEX SHEET

CAUSE TITLE 07219 OF 188NAME OF THE PARTIES M. L. Ansari

Applicant

Versus

Union of milis RespondentPart A, ~~188~~

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CERTIFICATE

Certified that no further action is required to be taken and that the case is fit for consignment to the record room (decided)

Dated... 29/11/2011

Counter Signed.....

Section Officer / In charge

Signature of the
Dealing Assistant

CENTRAL ADMINISTRATIVE TRIBUNAL
Circuit Bench, Lucknow
Opp. Residency, Gandhi Bhawan, Lucknow

INDEX SHEET

CAUSE TITLE 219/88 of 19

④

NAME OF THE PARTIES

Shri M. I. Ansari

Applicant

Versus

Union of India

Respondent

Part A, B & C

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Particulars to be ExaminedEndorsement as to result of Examination

- (c) Are the documents referred to in (a) above neatly typed in double space ? — yes —
8. Has the index of documents been filed and paging done properly ? — yes —
9. Have the chronological details of representation made and the outcome of such representations been indicated in the application ? — yes —
10. Is the matter raised in the application pending before any Court of law or any other Bench of Tribunal ? — No —
11. Are the application/duplicate copy/spare copies signed ? yes —
12. Are extra copies of the application with Annexures filed ? — yes No —
- (a) Identical with the original ?
- (b) Defective ?
- (c) Wanting in Annexures
- Nos...../Pages Nos..... ?
13. Have file size envelopes bearing full addresses, of the respondents been filed ? — N.A. —
14. Are the given addresses, the registered addresses ? yes —
15. Do the names of the parties stated in the copies tally with those indicated in the application ? — yes —
16. Are the translations certified to be true or supported by an Affidavit affirming that they are true ? — N.A. —
17. Are the facts of the case mentioned in item No. 6 of the application ? yes —
- (a) Concise ?
- (b) Under distinct heads ?
- (c) Numbered consecutively ?
- (d) Typed in double space on one side of the paper ? yes —
18. Have the particulars for interim order prayed for indicated with reasons ? — yes —
19. Whether all the remedies have been exhausted. — yes —

CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH,

23-A, Thornhill Road, Allahabad-211001

Registration No. 219 of 198

APPLICANT (s) Mahesh Shrivastava

RESPONDENT(s) Union of India

Particulars to be examined

Endorsement as to result of Examination

1. Is the appeal competent? — yes —
2. (a) Is the application in the prescribed form? — yes — (in old Proforma)
(b) Is the application in paper book form? — yes —
(c) Have six complete sets of the application been filed? — 2 sets have been filed
3. (a) Is the appeal in time? — yes —
(b) If not, by how many days it is beyond time?
(c) Has sufficient case for not making the application in time, been filed?
4. Has the document of authorisation, Vakalat-nama been filed? — yes —
5. Is the application accompanied by B. D./Postal-Order for Rs. 50/- — yes —
6. Has the certified copy/copies of the order (s) against which the application is made been filed? — yes —
7. (a) Have the copies of the documents/relied upon by the applicant and mentioned in the application, been filed? — yes —
(b) Have the documents referred to in (a) above duly attested by a Gazetted Officer and numbered accordingly? — yes —

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCULAR BENCH AT LUCKNOW

O.A./T.A. No. 119 1988 (C)

M. J. Ansari

Applicant(s)

Versus

U O &

Respondent(s)

Sr. No.	Date	Orders
25480		Hon. D.S. Mishra, J.M. Hon. G.S. Sharma, J.M. <u>Admit</u> Issue notices One month for C.A. & two weeks for R.A. There is also a prayer for interim relief. Issue notice to the respondents to file objection within three weeks as to why the interim relief prayed for be not granted fix 22.12.88 for orders. Sd/- J.M. Sd/- A.M. <u>OR</u> Notices for respondents. No 1 to 4 received by Sr. V.R. Choudhry, Govt. Counsel fixing 22.12.88 to consider the interim matter. <u>22/12/88</u> No sitting, Adjourned to 20/2/89 for order. <u>20-2-89</u> No sitting, Adjourned to 3-3-89 for order. <u>7-3-89</u> <u>OR</u> Notices were issued to the respondents through regd. Post dt. 1.2.89. No undelivered regd. Cover have been return back.

No reply on behalf of the question of interim relief has so far been filed by the respondents. Submitted for order on the interim prayer.

Josh
5/3/89

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

A L L A H A B A D

O.A.No. 219
~~Ex.A.No.~~

1938(L)

DATE OF DECISION 8-5-89

M.I. Ansari Petitioner

Sri K.M.N. Chak Advocate for the Petitioner(s)

Versus

Union of India & ors Respondent s

Shri V.K. Chaudhary Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. G.S. Sharma, J.M.

The Hon'ble Mr. K.J. Raman, A.M.

- ✓ 1. Whether Reporters of local papers may be allowed to see the Judgement ?
- X 2. To be referred to the Reporter or not ?
- ✓ 3. Whether their Lordships wish to see the fair copy of the Judgement ?
- X 4. Whether to be circulated to other Benches ?

Dinesh/

CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH LUCKNOW

....

Gandhi Bhawan, Lucknow

May 8, 1989

Registration No. O.A. 219 of 1988(L)

M.I. Ansari Applicant

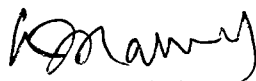
Vs.

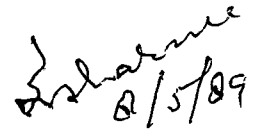
Union of India & ors ... Opp. Parties

Hon' Mr. G.S. Shama, J.M.

Hon' Mr. K.J. Raman, A.M.

We have heard the learned counsel for both the parties. The learned counsel for the applicant states that the applicant has been granted relief claimed by him in this petition, by the Departmental authorities amicably and he does not want to press this petition further. Shri V.K. Chaudhary, learned counsel for the respondents also support this contention. This petition has thus, become infructuous and ^{is dismissed &} ~~expressed~~ as not pressed, without any order as to cost.


MEMBER (A)


MEMBER (J)

(sns)

In the Central Administrative Tribunal, Circuit Bench,
Lucknow.

PA 219-00(C)

Mohd.Iliyas Ansari.

-----Applicant

Versus

Union of India and others.

-----Respondents

I N D E X.

S.No.	Description of documents relief upon.	Page Nos.
1.	Application before Hon'ble Central Administrative Tribunal, Circuit Bench at Lucknow.	1 - 10
2.	Annexure No.1: Voluntary Retirement dt. 1.7.88.	11
3.	" No.2: Withdrawal of Voluntary Retirement dt.29.8.88.	12
4.	" No.3: Refusal for withdrawal of Voluntary Retirement dt.1.11.88	13



A P P L I C A N T.

For use of Tribunal Office:

Date of filing or
date of receipt
by post.

Registration No.

8/10

In the Central Administrative Tribunal, Circuit Bench,
Lucknow.

Mohd. Iliyas Ansari, aged about 55 years,
10 months, son of Late Mohd. Yasin Ansari,
resident of Plot No. 13, Pant Nagar Colony,
(Khurram Nagar), Post Office ^{W. E.} Baridi Nagar,
Lucknow.

-----Applicant

Versus

1. Union of India through Secretary,
Ministry of Information and Broad Casting,
Shastri Bhawan, New Delhi-110001.
2. Principal Accounts Officer, Govt. of India,
Ministry of Information and Broad Casting,
Tropical Building, 'H' Block, Cannaught Place,
New Delhi.
3. Chief Controller of Accounts,
Ministry of Information and Broad Casting,
Shastri Bhawan, New Delhi.

Noted for
25-11-88
K. M. N. Chak.
Advt.

Recd 46/11
for O.B.

W. A.
07/12
V. K. Chaudhary
Advt.

Immed

4. Executive Engineer, Govt. of India,
Office of the Executive Engineer (C)
Civil Construction Wing, All India Radio,
Lucknow.

-----Respondents.

1. Particulars of the applicant :-

- i) Name of applicant : Mohd. Iliyas Ansari.
- ii) Name of father : Late Mohd. Yasin Ansari.
- iii) Designation and office: Junior Accounts Officer,
in which employed. Ministry of Information
and Broad Castings.
- iv) Office Address : Office of the Executive
Engineer (Civil) Civil
Construction Wing, All
India Radio, 9-Rani Laxmi
Bai Marg, Lucknow.
- v) Address of service : Plot No. 13, Pant Nagar
of all notice. Colony (Khurram Nagar),
Post Office ^{of} ~~Faridi~~ Faridi Nagar,
Lucknow.

2. Address for service : 1. Union of India through
of the notices. Secretary, Ministry of
Information and Broad
Casting, Shastri Bhawan,
New Delhi-11001.

Immed.

2. Principal Accounts Officer,
Govt. of India, Ministry of
Information and Broad Casting,
Trophical Building, 'H' Block,
Cannaught Place, New Delhi.
3. Chief Controller of Accounts,
Ministry of Information and
Broad Casting, Shastri Bhawan,
New Delhi.
4. Executive Engineer, Govt. of
India, Office of the Executive
Engineer (C) Civil Construction
Wing, All India Radio, Lucknow.

3. Particulars of the order: i) No.Lko./18(16)/CCW/74-E-
against which applica- 1153.
tion is made. ii) Date 1.11.88.
iii) Order passed by Executive
Engineer (Civil), Govt. of
India, Office of the
Executive Engineer (C),
Civil Construction Wing,
All India Radio, Lucknow,
stating that withdrawl of
notice for retirement has
not been acceded by the
Chief Controller of
Accounts, Ministry of
Information & Broad
Casting, New Delhi.

Overred.

iv) Subject in brief :-

- i) That the applicant was appointed firstly in the office of Accountant General, U.P. Allahabad in the year 16.4.57 and remained therein upto 30.9.76.
- ii) That the applicant was absorbed in the office of respondents from 1.10.76 and is now working therein.
- iii) That the date of birth of the applicant is 7.1.1933 and he has to work in the office of respondents upto 30.1.1991.
- iv) That the applicant wants to retire from the service of respondents hence he gave a notice to Principal Account Officer, respondent no.2 on 1.7.88 to retire on 1.1.1989.
- v) That on 29.8.88 the applicant does not want to retire from the service hence he gave another letter to respondent no.2 for withdrawal of his letter for retirement.
- vi) That on 1.11.88 Executive Engineer (Civil) sent a letter that Chief Controller of Accounts

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Ministry of Information & Broad
Casting, New Delhi has not been
acceeded for withdrawl of
retirement.

vii) That the applicant according to
his retirement of his letter
dated 1.7.88 would retire on
1.1.1989 and before that he could
withdraw his retirement from
service from respondents. This
has been said by Hon'ble Supreme
Court in A.I.R.1978 S.C. 694
Union off India etc. Vs. Gopal
Chandra Misra and others.

4. Jurisdiction of Tribunal. : The applicant declared that the
subject matter of the order against
which he wants redressal is within
the jurisdiction of the Tribunal.

5. Limitation. : That the applicant further declares
that the application is within the
limitation prescribed in Section 21
of the Administrative Tribunal
Act, 1985.

6. Facts of the case: i) That the applicant was appointed
in the Office of Accountant General,
U.P.Allahabad in the year 16.4.1957

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and remained therein upto
30.9.1976.

- ii) The applicant was absorbed in the office of respondents from 1.10.76 and is now working therein.
- iii) That the date of birth of the applicant is 7.1.1933 and he has to work in the office of respondents upto 30.1.1991.
- iv) That the applicant wanted to retire from the service of respondents hence he gave a notice to Principal Account Officer, respondent no.2 on 1.7.88 to retire on 1.1.1989 by Annexure-1 to this application.
- v) That on 29.8.88 the applicant does not want to retire from the service hence he gave another letter to respondent no.2 by Annexure No.2 to this application for withdrawal of his letter for retirement.
- vi) That on 1.11.88 Executive Engineer (Civil) sent a letter that a Chief Controller of Account, Ministry of Information, New Delhi, has not been acceded to by the Chief Controller of Accounts,

Original

Ministry of Information and Broad
Casting, New Delhi.

- vii) That the applicant before his
voluntary retirement on 1.1.89 can
withdraw his voluntary retirement.
- viii) That in view of Supreme Court of
India taken in the case of Union of
India etc. Vs. Gopal Chandra Misra
and others, A.I.R. 1978 S.C. 694
the officer before his retirement
can withdraw the voluntary
retirement.
- ix) That voluntary retirement of the
applicant before issue of Annexure
No.2 has not been accepted nor
thereafter.

7. Details of the remedies: The applicant declares that he
exhausted.

has no remedies to him under
the relevant service rules.

That applicant before his retire-
ment on 1.1.89⁸⁸ by Annexure No.1
withdraw his retirement from
service of respondents by letter
dt. 29.8.88 Annexure No.2 which
has been rejected by Chief
Controller of Account, Ministry
of Information and Broad Casting,
New Delhi by Annexure No.3 dated

Mural

1.11.88 ²⁶ and against law ²⁶ only under
~~the Administrative Tribunal Act, 1985~~ ²⁶
~~and under the Article 136 of~~ ²⁶
~~the Constitution of India.~~ ²⁶

8. Matter not pending: The applicant further declares
with any other Court. that the matter regarding which
the applicant has been made is not
pending in any Court of Law or any
other authority or any other Bench
of the Tribunal.

9. Relief Sought. : In view of the facts mentioned in
para 6 of the application, the
applicant prays for the following
reliefs :-
- i) An order or direction may be issued
to the respondents to accept the
Annexure No.2 and withdraw the
order of the Chief Controller of
Accounts as mentioned in Annexure
No.3.
 - ii) An order or direction to respondents
to treat the services of the
applicant in service of respondent
no.1 upto the age of 58 years and
he should not be retired before
58 years.

Missed.

- iii) An order or direction to respondents not to except Annexure No.1.
- iv) To issue an order or direction which may be deemed fit on the facts mentioned in para 6 above.
- v) Cost of this application may be given to the applicant.

10. Interim order : Pending final decision on the application, the applicant seeks issue of the following interim order:-

- i) That during the pendency of this application the order contained in Annexure no.3 may not be enforced.
- ii) That during the pendency of this application the Annexure No.1 may not be enforced.

11. Particulars of the : i) No. of Indian ^{DD} One, 5
postal order in respect 065197
of the application Postal Order.
fees. ii) Name of Issuing High Court
Post Office. Bench
Lucknow
iii) Date of issue 21-11-88
of Postal order.
iv) Post Office in Allahabad
which payable.

Issued.

12. List of Enclosures.: i) Annexure No.1- Voluntary Retirement dt.1.7.88.

ii) Annexure No.2- Withdrawal of voluntary retirement dt.29.8.88.

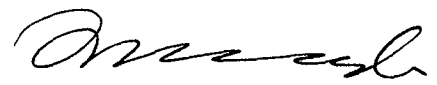
iii) Annexure No.3- Refusal of withdrawal of voluntary retirement dated 1.11.88.

Verification.

I, Mohd.Iliyas Ansari, son of Late Mohd.Yasin Ansari, aged about 55 years, 10 months, working as Junior Accounts Officer, resident of Plot No.13, Pant Nagar (Khurram Nagar), Post Office: Pharidi, Nagar, Lucknow, do hereby verify that the contents of paras 8, 11 and 12 are true to my personal knowledge and those of paras 9 and 10 are true on the basis of legal advice and that I have not suppressed any material fact.

Place: Lucknow.

Date: 22.11.1988.


A P P L I C A N T.

11 16

In the Central Administrative Tribunal, Circuit Bench,
Lucknow.

Mohd.Iliyas Ansari.

-----Applicant.

Versus

Union of India and others.

-----Respondents.

Annexure No.1

To,

The Principal Accounts Officer,
Ministry of Information & Broadcastion,
Shastri Bhawan,
New Delhi. (Through Proper Channel).

Subject: Voluntary Retirement under RR.56
Rule 48 Pension Rules.

Sir,

As per the provisions laid down under RR56 Rules
48 Pension Rules I opt to retire from Govt. service and
get pensionary benefits by giving 6 months notice to your
goodself w.e.f. 1.7.1988 onwards. A few particulars
relating to my service are given as under :-

1. Date of joining Govt. service - 16.4.57
2. Date of birth - 7.1.33.

Sd/- Illegible. 1.7.88
(M.I.Ansari)
Junior Accounts Officer
Civil Construction Wing
All India Radio, Lucknow.

Copy for information to :-

1. Chief Engineer (C); CCW; All India Radio, New Delhi.
2. The Superintending Engineer (C) CCW; All India Radio;
Mandi House; New Delhi.
3. The PAO; Mm & I & B All India Radio, Lucknow.

Sd/- Illegible.
1.7.88
Junior Accounts Officer.

True-copy.

K. M. N. Chak.

Adv

22-11-88

M. N. Chak.

12

In the Central Administrative Tribunal, Circuit Bench, Lucknow

Mohd. Iliyas Ansari.

-----Applicant

Versus

Union of India and others.

-----Respondents

Annexure No.2

To,

The Principal Accounts Officer,
Ministry of Information & Broadcasting,
Government of India,
Shastri Bhawan,
New Delhi.

(Through Proper Channel).

Sir,

In continuation of my six month notice for voluntary retirement dated 1.7.88 wherein I opted to retire on 1.1.89 I beg to state that I wish to withdraw the said notice under certain personal difficulties confronting me which arose all of sudden.

It is, therefore, requested that the said notice for voluntary retirement if possible under your discretionary power, may please be treated as withdrawn.

Yours faithfully,

(M.I. Ansari)
Junior Accounts Officer (C)

Copy to Superintending Engineer (C) CCN, AIR, Mandi House
New Delhi.

Copy to Pay & Accounts Office, All India Radio Building,
Lucknow.

Sd/- Illegible.
(M.I. Ansari).
29.8.88

True-copy.

K. M. N. Chak.

Adv.

22-11-88

M. Ansari

13

In the Central Administrative Tribunal, Circuit Bench,
Lucknow.

Mohd. Iliyas Ansari.

-----Applicant

Versus.

Union of India and others.

-----Respondents.

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Annexure No.3

Government of India.
Office of the Executive Engineer (C)
Civil Construction Wing: All India Radio, Lucknow.

No.Lko./18(16)/CCW/74-E/1153.

Date: 1.11.88

Memo.

Shri M.I.Ansari, Junior Account Officer of this office is hereby informed that his request for withdrawal of notice has not been acceded to by the Chief Controller of Accounts, Ministry of Information and Broadcasting, New Delhi.

Sd/- Illegible.
(J.K.Singhal)
Executive Engineer (Civil).

Shri M.I.Ansari,
Divisional Accountant,
Civil Construction Wing,
All India Radio, Lucknow.

Copy to Shri N.S.Bansal, Accounts Officer (Admin.)
office of the Principal Accounts Officer, Min. of I & B,
Shastri Bhawan, New Delhi.

Executive Engineer (Civil).

--

True-copy.

K. M. N. Chak
Hd/-
22-11-88

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8/10/1

In the Central Administrative Tribunal, Circuit Bench,
Lucknow.

Mohd. Ilyas Ansari.

-----Applicant

Versus

Union of India and others.

-----Respondents

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I N D E X

S.No. Description of documents relied upon.	Page Nos.
1. Application before Hon'ble Central Administrative Tribunal, Circuit Bench at Lucknow.	1 - 10
2. Annexure No.1: Voluntary Retirement dt. 1.7.68.	11
3. " No.2: Withdrawal of Voluntary Retirement dt.29.3.68.	12
4. " No.3: Refusal for withdrawal of Voluntary Retirement dt.1.11.68	13

A P P L I C A N T.

For use of Tribunal Offices:

Date of filing or
date of receipt
by post.

Registration No.

In the Central Administrative Tribunal, Circuit Bench,
Lucknow.

Mohd. Ilyas Ansari, aged about 33 years,
10 months, son of Late Mohd. Yasin Ansari,
resident of Plot No. 13, Park Nager Colony,
(Khurram Nager), Post Office ^F Sheridi Nager,
Lucknow.

-----Applicant

Versus

1. Union of India through Secretary,
Ministry of Information and Public Relations,
Shastri Bhawan, New Delhi-110001.
2. Principal Accounts Officer, Govt. of India,
Ministry of Information and Public Relations,
Tropical Building, 'H' Block, Connaught Place,
New Delhi.
3. Chief Controller of Accounts,
Ministry of Information and Public Relations,
Shastri Bhawan, New Delhi.

4. Executive Engineer, Govt. of India
Office of the Executive Engineer (C)
Civil Construction Wing, All India Radio,
Lucknow.

-----Respondents.

1. Particulars of the applicant :-

- i) Name of applicant : Mohd. Ilyas Ansari.
ii) Name of father : Late Mohd. Yasin Ansari.
iii) Designation and office: Junior Accounts Officer,
in which employed. Ministry of Information
and Public Castings.
iv) Office Address : Office of the Executive
Engineer (Civil) Civil
Construction Wing, All
India Radio, O-Block Level
Del Hall, Lucknow.
v) Address of service : Plot No. 13, Pant Nagar
of all notices. Colony (Khatra Nagar),
Post Office ^FHarid Nagar,
Lucknow.

2. Address for service : 1. Union of India through
of the notices. Secretary, Ministry of
Information and Public
Castings, Shastri Bhawan,
New Delhi-11001.

2. Principal Accounts Officer,
Govt. of India, Ministry of
Information and Broadcast
Tropical Building, 'H' Block,
Connaught Place, New Delhi.
3. Chief Controller of Accounts,
Ministry of Information and
Broadcast, Shastri Bhawan,
New Delhi.
4. Executive Engineer, Govt. of
India, Office of the Executive
Engineer (C) Civil Construction
Wing, All India Radio, Lucknow.

3. Particulars of the order: 1) G.O. No. /13(13)/CC/74-B-
against which applica- 1193.

tion is made.

11) Dato 1.11.63.

111) Order passed by Executive
Engineer (Civil), Govt. of
India, Office of the
Executive Engineer (C),
Civil Construction Wing,
All India Radio, Lucknow,
stating that withdrawal of
notice for retirement has
not been acceded by the
Chief Controller of
Accounts, Ministry of
Information & Broadcast
Wing, New Delhi.

iv) Subject in brief :-

- i) That the applicant was appointed firstly in the office of Accountant General, U.P. Allahabad in the year 16.4.57 and remained therein upto 20.9.76.
- ii) That the applicant was observed in the office of respondents from 1.10.76 and is now working therein.
- iii) That the date of birth of the applicant is 7.1.1933 and he has to work in the office of respondents upto 30.1.1991.
- iv) That the applicant wants to retire from the service of respondents hence he gave a notice to Principal Account Officer, respondent no.2 on 1.7.88 to retire on 1.1.1989.
- v) That on 29.8.88 the applicant does not want to retire from the service hence he gave another letter to respondent no.2 for withdrawal of his letter for retirement.
- vi) That on 1.11.88 Executive Engineer (Civil) sent a letter that Chief Controller of Accounts

and remained therein upto
30.9.1976.

ii) The applicant was observed in the
office of respondents from
1.10.76 and is now working
therein.

iii) That the date of birth of the
applicant is 7.1.1933 and he has
to work in the office of respon-
dents upto 30.1.1991.

iv) That the applicant wanted to
retire from the service of
respondents hence he gave a notice
to Principal Account Officer,
respondent no.2 on 1.7.83 to
retire on 1.1.1989 by Annexure-1
to this application.

v) That on 29.8.83 the applicant
does not want to retire from
the service hence he gave another
letter to respondent no.2 by
Annexure-2 to this application
for withdrawal of his letter for
retirement.

vi) That on 1.11.83 Executive Engineer
(Civil) sent a letter that of
Chief Controller of Accounts,
Ministry of Information, New
has not been acceded to by
Chief Controller of Accounts

Ministry of Information and Broad
Casting, New Delhi.

- vii) That the applicant before his
voluntary retirement on 1.1.69 can
withdraw his voluntary retirement.
- viii) That in view of Supreme Court of
India taken in the case of Union of
India etc. Vs. Coper Chandrasekhar
and others, A.I.R. 1978 S.C. 604
the officer before his retirement
can withdraw the voluntary
retirement.
- ix) That voluntary retirement of the
applicant before issue of Annexure
No.2 has not been accepted nor
thereafter.

7. Details of the remedies: The applicant declares that he
exhausted.

has no remedies to him under
the relevant service rules.

That applicant before his retirement
on 1.1.69 by Annexure No.1
withdraw his retirement from
service of respondents by letter
dt. 29.8.69 Annexure No.2 which
has been rejected by Chief
Controller of Account, Ministry
of Information and Broad Casting,
New Delhi by Annexure No.3 dated

1.11.88 and against law only under the Administrative Tribunal Act, 1968 and under the Article 226 of the Constitution of India.

3. Matter not pending: The applicant further declared with any other Court. that the matter regarding which the applicant has been made is not pending in any Court of Law or any other authority or any other Bench of the Tribunal.

4. Relief Sought. : In view of the facts mentioned in para 6 of the application, the applicant prays for the following reliefs :-

- i) An order or direction may be issued to the respondents to except the Annexure No.2 and withdraw the order of the Chief Controller of Accounts as mentioned in Annexure No.3.
- ii) An order or direction to respondents to treat the services of the applicant in service of respondent no.1 upto the age of 59 years and he should not be retired before 59 years.

- iii) An order or direction to respondents not to except Annexure No.1.
- iv) To issue an order or direction which may be deemed fit on the facts mentioned in para 6 above.
- v) Cost of this application may be given to the applicant.

10. Interim order : Pending final decision on the application, the applicant seeks issue of the following interim order:-

- i) That during the pendency of this application the order contained in Annexure no.3 may not be enforced.
- ii) That during the pendency of this application the Annexure No.1 may not be enforced.

11. Particulars of the : 1) No. of Indian
postal order in respect Postal Order.
of the application 11) Name of Issuing
form. Post Office.
111) Date of issue
of Postal order.
iv) Post Office in
which payable.

12. List of Enclosures: i) Annexure No.1- Voluntary Retirement dt.1.7.88.

ii) Annexure No.2- Withdrawal of voluntary retirement dt.29.8.00.

iii) Annexure No.3- Refusal of withdrawal of voluntary retirement dated 1.11.00.

Verification:

I, Mohd.Iliyas Ansari, son of Late Mohd.Yasin Ansari, aged about 33 years, 10 months, working as Junior Accounts Officer, resident of Plot No.12, Part Nager (Khurra Nager), Post Office Charidi Nager, Lucknow, do hereby verify that the contents of paras 1 to 8, 11 and 12 _____

are true to my personal knowledge and those of paras

9 and 10 _____

are true on the basis of

legal advice and that I have not suppressed any material facts.

Place: Lucknow.

Date: 22.11.1988.

A P P L I C A N T.

In the Central Administrative Tribunal, Circuit Bench,
Lucknow.

Mohd. Ilyas Ansari.

-----Applicant.

Versus

Union of India and others.

-----Respondents.

ORDER NO. 13.1

To,

The Principal Accounts Officer,
Ministry of Information & Broadcasting,
Shastri Bhawan,
New Delhi. (Through Proper Channel).

Subject: Voluntary Retirement under AR.23
Rule 43 Pension Rules.

Sir,

As per the provisions laid down under AR.23 Rule 43 Pension Rules I opt to retire from Govt. service and get pensionary benefits by giving 6 months notice to your goodself w.e.f. 1.7.1938 onwards. A few particulars relating to my service are given as under :-

1. Date of joining Govt. service - 16.4.57
2. Date of birth - 7.1.33.

Sd/- Illegible. 1.7.58
(M.I. Ansari)

Junior Accounts Officer
Civil Construction Wing
All India Radio, Lucknow.

Copy for information to :-

1. Chief Engineer (C):CCW; All India Radio, New Delhi.
2. The Superintending Engineer (C) CCW; All India Radio; Lendi House; New Delhi.
3. The P.W.; M & I B D All India Radio, Lucknow.

Sd/- Illegible.

1.7.58

Junior Accounts Officer.

Yours-copy.

In the Central Administrative Tribunal, Circuit Bench, Lucknow

Mohd. Aliyaz Ansari.

-----Applicant

Versus

Union of India and others.

-----Respondents

Memorandum No. 2

To,

The Principal Accounts Officer,
Ministry of Information & Broadcasting,
Government of India,
Shastri Bhawan,
New Delhi.

(Through Proper Channel).

Sir,

In continuation of my six month notice for voluntary retirement dated 1.7.59 wherein I opted to retire on 1.1.60 I beg to state that I wish to withdraw the said notice under certain personal difficulties confronting me which arose all of sudden.

It is, therefore, requested that the said notice for voluntary retirement if possible under your discretionary power, may please be treated as withdrawn.

Yours faithfully,

(M.I. Ansari)
Junior Accounts Officer (C)

Copy to Superintending Engineer (C) CEN, AIR, Mandi House
New Delhi.

Copy to Pay & Accounts Office, All India Radio Building,
Lucknow.

Sd/- Illegible.
(M.I. Ansari).
29.8.60

True-copy.

In the Central Administrative Tribunal, Circuit Bench,
Lucknow.

Mohd. Ilyas Ansari.

-----Applicant

Versus

Union of India and others.

-----Respondents.

ORDER NO. 3

Government of India.
Office of the Executive Engineer (C)
Civil Construction Wing: All India Radio, Lucknow.

No. Ho./13(13)/CC/74-1/1153.

Date: 1.11.53

Re:

Shri M.I. Ansari, Junior Account Officer of this
office is hereby informed that his request for withdrawal
of notice has not been acceded to by the Chief Controller
of Accounts, Ministry of Information and Broadcasting,
New Delhi.

Sd/- Illegible.

(J.K. Singh)

Executive Engineer (Civil).

Shri M.I. Ansari,
Divisional Accountant,
Civil Construction Wing,
All India Radio, Lucknow.

Copy to Shri N.S. Bansal, Accounts Officer (Admin.)
office of the Principal Accounts Officer, Min. of I & B,
Shastri Bhawan, New Delhi.

Executive Engineer (Civil).

True-copy.

ब अदालत श्रीमान्

[वादी] अपीलान्त

Central Administration Tribunal

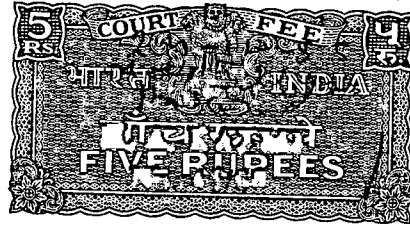
महोदय

प्रतिवादी [रैस्पान्डेन्ट]

श्री

का

वकालतनामा



वादी (अपीलान्त)

महोदय

बनाम

प्रतिवादी (रैस्पान्डेन्ट)

नं० मुकदमा

सन्

पेशी की ता०

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ऊपर लिखे मुकदमा में अपनी ओर से श्री

K M N CHAK, 35

एडवोकेट

Kachhary Road, Lucknow

महोदय

वकील

नाम अदालत
मुकदमा नं०
नाम फरकित

को अपना वकील नियुक्त करके प्रतिज्ञा (इकरार) करता हूं और लिखे देता हूं इस मुकदमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरवी व जबाब देही व प्रश्नोत्तर करें या कोई कागज दाखिल करें या लौटावें या हमारी ओर से डिगरी जारी करावें और रुपया वसूल करें या मुलहनामा व इकबाल दावा तथा अपील निगरानी हमारी ओर से हमारे या अपने हस्ताक्षर से दाखिल करें और तसदीक करें मुकदमा उठावें या कोई रुपया जमा करें या हमारी विपक्षी (फंरीकसानी) का दाखिल किया हुआ रुपया अपने या हमारे हस्ताक्षर युक्त (वस्तुखती) रसीद से लेवें या पंच नियुक्त करें--वकील महोदय द्वारा की गई वह सब कार्यवाही हमको सर्वथा स्वीकार है और होना मैं यह भी स्वीकार करता हूं कि मैं हर पेशी पर स्वयं या किसी अपने पैरोकार को भेजता रहूंगा अगर मुकदमा अदम पैरवी में एक तरफ मेरे खिलाफ फैसला हो जाता है उसकी जिम्मेदारी मेरे वकील पर नहीं होगी इसलिए वह वकालतनामा लिख दिया प्रमाण रहे और समय पर काम आवे ।

हस्ताक्षर

साक्षी (गवाह)

साक्षी (गवाह)

दिनांक

महीना

सन् १६८

ई०

स्वीकृत

मंत्रालय.....
Ministry of

विभाग
कार्यालय

Department of.....
Office

अनुभाग
SECTION

टिप्पणियां/पत्राचार
NOTES/CORRESPONDENCE

विषय
Subject

.....को सूचीकृत की गई
Indexed on

आरम्भिक
Initials

अभिलेख क/ए
Record A/B

अभिलेख ग.....में नष्ट की जाय
Record C. Destroy in

अनुभागीय नोट बुक में नोट किया जाय
नोट न किया जाय

To be noted In Sectional Note Book
Not to be noted

अनु० अ०/अधीक्षक के आदेश
Initials of S. O./Supdt.

लिपिक के आदेश
Initials of Clerk

पिछले हवाले
Previous References

बाद के हवाले
Later References