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Dated: 7.8.90 - Camp at Nagpur

Adjourned at the request of counsel of the applicant for hearing to 9.10.90. No further time will be granted.

*(Signature)*  
(I-K. Rasgotra) (G. Sreedhasan Nair)  
M(A) V/C

Dated: 9.10.90 Camp at Nagpur

Applicant in person.  
Respondent by Mr. P.M. Chaudhkar.

S.O. to 8.1.91 for final hearing at Nagpur. Place at No. 2 on the board on that date.

*(Signature)*  
(S.K. Jais) M(A)

*(Signature)*  
(P.S. Chaudhri) M(A)

Date: 8.1.1991 Camp at Nagpur  
J.A 43/88 (W.P. 1218/84)

Writ Petition No. 1218/84 which was filed in the Bombay High Court on 17.5.1984, was transferred to this Tribunal by the High Court's order dt: 22.7.88.

Respondent's Advocate took the notice of this date i.e. 9.10.90.  
By F.A.

In it, the applicant, who was working as coal Muccadam at Badnera, is challenging the order dated 9.12.1982 informing him that he was due to retire ~~on superannuation~~ from 31.5.1984 <sup>according to his date of birth recorded in the S.R.</sup> He had continued in ~~the~~ service beyond the said date by virtue of an interim stay granted by the Bombay High Court directing the respondents to continue the petitioner in service upto the age of 58 years, i.e. upto 1.7.1985.

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When this case was called for hearing today, Sri Ramesh Darda, holding the brief of Sri Girish Chaudhary, learned counsel for the applicant, and Smt. S.S. Wandle, holding the brief of Sri P.M. Chandurkar, learned counsel for the respondents, appeared. Smt. Wandle has filed an application from the applicant seeking permission to withdraw the T.A. for alteration in recorded date of birth as he had retired from Railway Service w.e.f. 30-6-1985.

An

Accordingly we dispose of the T.A. 43/88 as withdrawn. In the circumstances of the case, there will be no order as to costs.

Order dt. 8.1.91  
issued on both the  
sides on 28.1.91

By

D. Surya Rao  
(D. Surya Rao)  
M(J)

P.S. Chandhuri  
(P.S. Chandhuri)  
M(A)

Order dt. 8.1.91  
served on Applicant  
on dt. 21.1.91

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