

CENTRAL ADMINISTRATIVE TRIBUNAL

PATNA BENCH

O.A.NO.: 771 OF 2005

[Patna, this Friday, the 24th Day of August, 2007]

C O R A M

HON'BLE SHRI JUSTICE P.K.SINHA, VICE-CHAIRMAN.

Rajmani Devi,
W/o Rameshwar Das.

Vs

The Union of India represented through
Postmaster General of India,
New Delhi & Ors..

Counsel for the applicant:- Shri A.N.Jha. .

Counsel for the respondents:- Shri Amresh Kr. Mishra, ASC.

O R D E R [ORAL]

Justice P. K. Sinha, V.C.:- Heard learned counsels for both the sides.

2. This application has come up with prayer to issue direction to the respondents to pay the terminal benefits to the applicant who is wife of the deceased employee, Rameshwar Das. The respondents have filed the written statement in which it was claimed, as also submitted by the learned counsel for the respondents, that a departmental proceeding had taken place against the applicant and vide order dated 31.12.1984 the applicant was dismissed from service, hence he had forfeited his retiral/terminal benefits vide Rule 24 of the CCS [Pension] Rules.

3. On the last date a direction was given to the respondents to give a plain copy of the dismissal order to the applicant.

Learned counsel for the respondents undertakes to provide a copy of the order of dismissal to the applicant, as prayed by her since it is claimed that no such order was received. On this undertaking, the learned counsel for the applicant seeks permission to withdraw this application with liberty to the applicant to file a fresh application against the order of dismissal from service recorded in the departmental proceeding, of which the applicant has become aware only on filing of the written statement by the respondents.

Baloo

4. With direction to the respondents to provide such a copy of the order, accordingly, within the period as stipulated, the prayer of the applicant is allowed and this application is disposed of as withdrawn. The applicant, however, would be free to take legal recourse against the order of dismissal, in accordance with law. No costs.



[P.K.Sinha]/VC

skj.