

CENTRAL ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH.

ORIGINAL APPLICATION NO.: 145 of 1999.

Dated this Friday, the 1st day of October, 1999.

CORAM : Hon'ble Shri R. G. Vaidyanatha, Vice-Chairman.

Hon'ble Shri B. N. Bahadur, Member (A).

Vinayak Haridwar Somkuwar,  
Residing at -  
Vinay Apartments,  
Flat No. 208, Second floor,  
Noor Hotel, Olympic Panchal  
Nagar, Nallasopara (W),  
District Thane.

... Applicant.

VERSUS

1. The Director,  
Mumbai General Post Office,  
Mumbai - 400 001.
2. The Deputy Director,  
Speed Post, G.P.O.,  
Mumbai - 400 001.
3. Supervisor,  
Speed Post, G.P.O.,  
Mumbai - 400 001.
4. The Deputy Director (Delivery)  
General Post Office,  
Mumbai - 400 001.

... Respondents.

(By Advocate Shri V. S. Masurkar)

ORDER [ORAL]

Per : Shri R. G. Vaidyanatha, Vice-Chairman.

Applicant and Counsel absent. We have heard respondents' counsel regarding admission. In this application, the applicant wants a direction to the respondents to accept his notice of voluntary retirement.

It is well settled that when there is a departmental enquiry pending against an officer, the competent authority can refuse permission for voluntary retirement. Further, it is brought to our notice by the Learned Counsel for the respondents that the applicant has since written a letter dated 16.08.1999 addressed to the Director, Mumbai G.P.O., Mumbai stating that he is withdrawing his notice of voluntary retirement dated 29.09.1998. It is also mentioned in this letter that he wants to withdraw the case filed in this Tribunal.

2. In view of the above circumstances, we hold that the O.A. does not survive and is accordingly disposed of. No order as to costs.

B. Bahadur  
(B. N. BAHADUR)  
MEMBER (A)

R. G. Vaidyanatha  
(R.G. VAIDYANATHA)  
VICE-CHAIRMAN.

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