

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI.

ORIGINAL APPLICATION NO. : 494/2000

Date of Decision : 4.1.2001.

V.B.Sonawane Applicant.

Shri Z.M.Avhad Advocate for the
Applicant.

VERSUS

Union of India & Ors. Respondents.

Shri V.S.Masurkar Advocate for the
Respondents.

CORAM

The /Hon'ble Shri S.L.Jain, Member (J)

(i) To be referred to the Reporter or not ? no
(ii) Whether it needs to be circulated to other Benches of the Tribunal ? no
(iii) Library no

Jain
(S.L.JAIN)
MEMBER (J)

mr.j*

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

MUMBAI BENCH, MUMBAI

DA.NO. 494/2000

Thursday this the 4th day of January, 2001.

CORAM : Hon'ble Shri S.L.Jain, Member (J)

Vidyadhar Bapurao Sonawane,
Pensioner,
R/at "Mathura Apartment",
Flat No.24, 2nd Floor,
Nawale Colony, Nashik Road.

... Applicant

By Advocate Shri Z.M.Avhad

V/S.

1. The Union of India,
through Secretary,
Ministry of Finance,
New Delhi.

2. The General Manager,
Currency Note Press of
Govt. of India,
Ministry of Finance,
Dept. of Economic Affairs,
Nashik Road, Nashik.

... Respondents

By Advocate Shri V.S.Masurkar

ORDER (ORAL)

(Per : Shri S.L.Jain, Member (J))

This is an application under Section 19 of the
Administrative Tribunals Act, 1985 seeking the following reliefs:-

S/LJ

..2/-

"8.(a) The Respondents Nos. 1 and 2 be directed to count the previous service of 8 years rendered in Rationing Dept. for the purpose of pension alongwith the services rendered in C.N.P. Nasik Road on parity with the other employees by name Mr.Dhake and Jain in the interest of justice and equity.

(b) The Respondent be directed to revise the pension of the applicant by counting his full service upto superannuation for the purposes of pension.

(c) The Honourable Tribunal may issue any other directions to the respondents so as to facilitate the claims of the applicant."

2. In para 4 and 5 of the OA., the applicant has stated as under : -

" 4. FACTS OF THE CASE

The respondent No. 2 did not count his previous services for pensionary benefits, though required by law & by overlooking the principle of parity & the other details & facts are mentioned in para No. 1."

Para 5 of the OA. is as under : -

"5. GROUNDS FOR RELIEF WITH LEGAL PROVISION

Will be made at the time of argument."

3. After hearing the applicant's counsel, when the respondents' counsel argued the question of absence of facts and the point to be agitated in para 4 & 5 of the OA., the learned counsel for the applicant, when asked by the Tribunal, stated that he wants to withdraw the OA. with permission to file fresh one as per law.

J.V.R.

4. Considering the prayer of the applicant, he is permitted to withdraw the OA. with liberty to file a fresh one. However, it is stated that this liberty would not mean that the applicant's fresh OA. would be considered to have been filed earlier than 6.5.2000, which is the date for filing this OA. Further, it is mentioned that fresh OA. if applicant files, it may be filed within 15 days, otherwise, the liberty would be of no avail. No order as to costs.

ANIL
(S.L.JAIN)

MEMBER (J)

anil.