

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH  
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Commercial Complex (BDA)  
Indiranagar  
Bangalore - 560 038

Dated : 1 AUG 1988

APPLICATION NO.

1015

/88(F)

W.P. NO.

Applicant(s)

Respondent(s)

Shri K.A. Madappa

V/s The Secretary, M/o Defence, New Delhi & 3 Ors

To

- |  |  |
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| <p>1. Shri K.A. Madappa<br/>Lower Division Clerk<br/>Office of the Commander Works Engineer(MES)<br/>101, Dickenson Road<br/>Bangalore - 560 042</p> <p>2. Shri M. Narayanaswamy<br/>Advocate<br/>844 (Upstairs)<br/>Vth Block, Rajajinagar<br/>Bangalore - 560 010</p> <p>3. The Secretary<br/>Ministry of Defence<br/>South Block<br/>New Delhi - 110 011</p> <p>4. The Engineer-in-Chief<br/>Army Headquarters<br/>Engineer-in-Chief's Branch<br/>D.H.Q. P.O.<br/>New Delhi - 110 011</p> | <p>5. The Chief Engineer<br/>Headquarters Southern Command<br/>Engineers Branch<br/>Pune - 1 (Maharashtra)</p> <p>6. The Commander Works Engineer<br/>Military Engineering Service<br/>101, Dickenson Road<br/>Bangalore - 560 042</p> <p>7. Shri M. Vasudeva Rao<br/>Central Govt. Stng Counsel<br/>High Court Building<br/>Bangalore - 560 001</p> |
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Subject : SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith the copy of ORDER/~~STAY~~/INTERIM ORDER  
passed by this Tribunal in the above said application(s) on 28-7-88.

Encl : As above

DEPUTY REGISTRAR  
(JUDICIAL)

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE

DATED THIS THE 28TH DAY OF JULY, 1988

Present: Hon'ble Shri Justice K.S. Puttaswamy, Vice-Chairman

APPLICATION NO. 1015/1988

Shri K.A. Madappa,  
S/o K.K. Achappa,  
Aged 53 years,  
Lower Division Clerk,  
O/o the Commander Works Engineer,  
Military Engineering Service,  
Dickenson Road, Bangalore-42.

... Applicant.

(Shri M. Narayana Swamy, Advocate)

v.

1. The Union of India,  
represented by its Secretary,  
Ministry of Defence,  
Sena Bhavan, New Delhi.

2. The Engineer in Chief,  
Army Headquarters,  
Engineer-in-Chief Branch,  
D.H.Q. P.O. New Delhi.

3. The Chief Engineer,  
Head Quarters,  
Southern Command,  
Engineers Branch,  
Pune-1.

4. The Commander Works Engineer,  
Military Engineering Service,  
Dickenson Road, Bangalore-42.

... Respondents.

*Shri M. V. Vasudeva Rao*  
(Shri M.S. Padmarajaiah, C.G.S.S.C.F)

This application having come up for hearing to-day  
Vice-Chairman made the following:

O R D E R

In this application made under Section 19 of the  
Administrative Tribunals Act, 1985, as originally filed  
the applicant had challenged Order No.132401/1/Tenure/EIB  
(S) dated 9.6.1988 of Chief Engineer, HQ Southern Command,  
Pune (CE) transferring him from the office of CWE Bangalore  
to the Office of CWE(P) NAS Arkonam. But later the applicant



has been permitted to include a direction to the respondents to consider his case for voluntary retirement and in the meanwhile keep the order of transfer in abeyance.

2. When this case was taken up for consideration of the interim prayer, Shri M. Narayanaswamy learned counsel for the applicant files a Memo praying for permission to withdraw this application with liberty reserved to withdraw the notice of retirement earlier given seeking for voluntary retirement. Shri C. Santhanam, Administrative Officer, Office of the Commander (Works, Engineering), Military Engineering Service, Bangalore (Respondent-4) representing the respondents, submits that the notice given by the applicant for voluntary retirement had not so far been processed and final orders thereto had not been made. He also opposes any interference of the order of transfer originally challenged by the applicant.

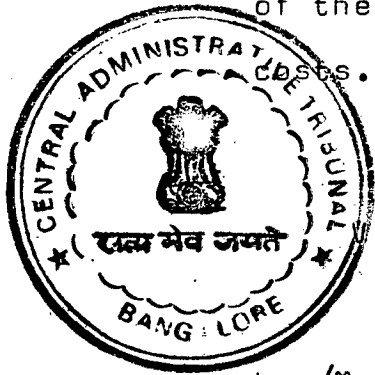
3. As the applicant himself is withdrawing his challenge to the transfer order the question of this Tribunal interfering with the same does not arise. I consider it proper to permit the applicant to withdraw this application.

4. In his memo the applicant had stated that he proposes to withdraw the notice of voluntary retirement given by him under Rule 48A of the CCS (Pension) Rules, 1972, I have earlier noticed that notice has not so far been processed and orders thereto had not been made. In this view, it is open to the applicant to withdraw the same. When that is done by the applicant I have no doubt that the competent



authority will consider the same favourably and grant the same without reference to the earlier developments and events.

5. In the light of my above discussion, I dismiss this application as withdrawn by the applicant for the reasons stated in his memo . But in the circumstances of the case, I direct the parties to bear their own



Sd/-

VICE-CHAIRMAN

28/7/11

TRUE COPY

bsv/Mrv.

  
DEPUTY REGISTRAR (JDL)  
CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE