

CENTRAL ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH

ORIGINAL APPLICATION NO.: 928/97.

Date of Decision : 24.04.1998.

M. Rajratnam, Petitioner.

Shri D. V. Gangal, Advocate for the Petitioner.

VERSUS

Union Of India & Another Respondents.

Shri V. S. Masurkar Advocate for the Respondents.

CORAM :

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

Hon'ble Shri P. P. Srivastava, Member (A).

(i) To be referred to the Reporter or not ?

(ii) Whether it needs to be circulated to other ✓  
Benches of the Tribunal?

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

CENTRAL ADMINISTRATIVE TRIBUNAL

MUMBAI BENCH

ORIGINAL APPLICATION NO.: 928/97.

M.P. NO.: 267/98.

Dated the 24th day of April, 1998.

CORAM : HON'BLE SHRI JUSTICE R. G. VAIDYANATHA,  
VICE-CHAIRMAN.

HON'BLE SHRI P.P. SRIVASTAVA, MEMBER (A).

M. Rajratnam,  
Sr. Sub-Divisional Engineer,  
City Telephone Exchange,  
Wadby Road,  
Mumbai - 400 001.

Residing at -  
B.2/4 Post & Telegraph Colony,  
Vakola,  
Santacruz (East),  
Mumbai - 400 029.

(By Advocate Shri D. V. Gangal)

... Applicant

1. The Union Of India  
through the Secretary,  
Ministry of Communications,  
New Delhi.

2. Shri B. B. Choudhary,  
Deputy General Manager,  
(DIB-I), Ninth Floor,  
Cooperage Telephone Exchange,  
Mumbai.

... Respondents.

(By Advocate Shri V.S. Masurkar)

: OPEN COURT ORDER :

( PER.: SHRI R. G. VAIDYANATHA, VICE-CHAIRMAN )

M.P. No. 267/98 filed by the respondents is  
hereby allowed. Documents filed alongwith the petition  
be taken on record.

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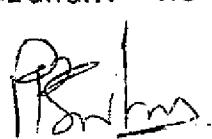
2. Shri D. V. Gangal for the applicant submits that since the respondents have now stated that the applicant has been pre-maturely retired, he may be permitted to withdraw the present O.A., subject to accepting the pension and pensionary benefits without prejudice to challenge the order of pre-mature retirement. — — —

3. After hearing both the sides, the O.A. is permitted to be withdrawn without prejudice to the right of the applicant to challenge the punishment of pre-mature retirement according to law.

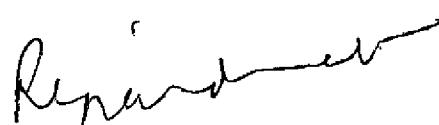
In view of the withdrawal of the O.A., M.P. No. 267/98 does not survive.

It is made clear that the applicant can receive the pension papers sent by the respondents and even claim the pensionary benefits without prejudice to his right to challenge the order of compulsory retirement.

4. In the result, the O.A. is dismissed as withdrawn. No costs.

  
(P.P. SRIVASTAVA)

MEMBER (A).

  
(R. G. VAIDYANATHA)  
VICE-CHAIRMAN.

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(J)