

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

OA 235/94

Date of Decision: 02.9.94.

HARI PRASAD GUPTA

... APPLICANT.

Vs.

UNION OF INDIA & ORS.

... RESPONDENTS.

CORAM:

HON'BLE MR. GOPAL KRISHNA, MEMBER (J).
HON'BLE MR. O.P. SHARMA, MEMBER (A).

For the Applicant ... SHRI K.L. THAWANI.

For the Respondents ... SHRI U.D. SHARMA.

PER HON'BLE MR. GOPAL KRISHNA, MEMBER (J).

Applicant Hari Prasad Gupta has filed this application u/s 19 of the Administrative Tribunals Act, 1995, praying for quashing the impugned order at Annexure A-1 and for a direction to the respondents to implement the orders contained in Memo No. Staff 22-24/164/SWM dated 15.2.94, issued by the Chief Post Master General, Rajasthan Circle, Jaipur. The applicant has also prayed that he should be retired w.e.f. 30.4.94.

2. We have heard the learned counsel for the parties and have gone through the records of the case carefully. The applicant had requested for his voluntary retirement from the post of Assistant Post Master, Sawaimadhopur, w.e.f. 1.2.94 after completing the qualifying service of 30 years under Rule 48 of the CCS (Pension) Rules, 1972, but the acceptance of his voluntary retirement conveyed to him vide Office Memo of even No. Staff 22-24/164/SWM dated 15.2.94 was cancelled by Annexure A-1.

2. The learned counsel for the respondents has produced a copy of D.O. No. Staff/21-7/94-95 dated 25.8.94 and it has been taken on record. The respondents have admitted their mistake and now they are taking steps to retire the applicant forthwith without asking him to give any further notice. The present OA has therefore become infructuous.

3. This application is dismissed with no order as to costs.

(O.P. SHARMA)
MEMBER (A)

G.K.
(GOPAL KRISHNA)
MEMBER (J)