

**Central Administrative Tribunal
Principal Bench**

**OA No.4670/2015
MA No.2773/2017**

New Delhi, this the 16th day of March, 2018

Hon'ble Ms. Nita Chowdhury, Member (A)

Shri Naveen Puri (Aged about 52 years),
S/o Late Shri R.K. Puri,
R/o Narendra Nagar-III,
Sonipat (Haryana).

...Applicant

(By Advocates : Shri T.D. Yadav)

Versus

1. Govt. of NCT of Delhi,
Through Chief Secretary,
I.P. Estate, Delhi Secretariat,
New Delhi.
2. The Director of Health Service,
Directorate of Health Services,
Govt. of NCT of Delhi,
F-17, Karkardooma, Delhi.
3. The Additional Director (Admn.),
Directorate of Health Services,
Govt. of NCT of Delhi.
4. The Joint Director (SHS),
School Health Scheme,
Directorate of Health Services,
Govt. of NCT of Delhi,
F-17, Karkardooma, Delhi.

...Respondents

(By Advocate : Shri Vijay Pandita)

ORDER (ORAL)

Learned counsel for applicant appears today. He has not complied with the directions of this Tribunal dated 11.01.2018, in

which it has been recorded that "Learned counsel for the respondents has filed an application stating therein that the applicant is already dismissed from service and this OA has become infructuous as the applicant has to challenge the dismissal order dated 05.06.2017. Learned counsel for the applicant seeks two weeks' time for filing reply to the MA, which is allowed."

2. On the previous date i.e. 07.02.2018, no one appeared on behalf of the applicant. Today, the learned counsel for applicant informs that he does not wish to file any reply in MA. Learned counsel for respondents informs that the applicant has already filed an appeal against his dismissal and the same is with the respondents.

3. The respondents' contention is that after dismissal from service, the issue of voluntary retirement can no longer be agitated. Applicant's learned counsel accepts that he has now been dismissed from service. Hence, the OA is dismissed. However, the applicant is at liberty to pursue the remedies, as per law, in case he wishes to challenge his order of dismissal.

4. Pending MAs, if any, stand disposed of.

(Nita Chowdhury)
Member (A)

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