

**CENTRAL ADMINISTRATIVE TRIBUNAL**  
**MUMBAI BENCH, MUMBAI.**

**ORIGINAL APPLICATION No. 318/2018**

**Date of Decision : 2<sup>nd</sup> May, 2018**

**CORAM: HON'BLE SHRI ARVIND J. ROHEE, MEMBER (J)**

*Shri Pratap Singh  
 Son of Late Shri. Dhanna Singh,,  
 R/o. Survey No. 73, Hissa No. 5/2, 7&8  
 NDA-Pashan Road, Near Hill Top Hotel,  
 Kothrud, Pune- 411038.* - *Applicant*  
*(By Advocate Shri P.J. Prasadrao)*

**Versus**

1. *Union of India  
 Through  
 The Secretary, Ministry of Defence,  
 South Block, New Delhi- 110 011.*
2. *The Chief of Integrated Defence Staff,  
 Ministry of Defence, Department of Personnel,  
 Kashmir House, Rajaji Marg, New Delhi 110 011.*
3. *The Commandant,  
 National Defence Academy  
 Khadakwasla, Pune- 411 023.* - ***Respondents.***

**ORDER (ORAL)**

**PER: SHRI ARVIND J. ROHEE, MEMBER (J)**

Today Division Bench is not available.  
 Hence, the matter is taken up before Single Bench.

2. Heard Shri P.J. Prasadrao, learned Advocate for the applicant, when the matter is called out for Admission. I have carefully

perused the case record.

**3.** The applicant in this OA has grievance regarding impugned order dated 21.02.2018 (Annexure A-3) passed by the Disciplinary Authority, by which he is dismissing from service. It is obvious from record that the applicant has not challenged the said order before the appropriate Appellate Authority. In view of above, the OA is *prima facie* premature.

**4.** At this stage, learned Advocate for the applicant seeks permission to withdraw the present OA with liberty to agitate the claim before the appropriate Appellate Authority against the impugned order of dismissal.

**5.** In view of above, permission for withdrawal of OA is allowed. The OA stands disposed of as withdrawn with liberty as above.

**6.** Registry is directed to forward certified copy of this order to both the parties for taking appropriate steps in the matter.

**(A.J. Rohee)**  
**Member (J)**

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