

(OPEN COURT)

**CENTRAL ADMINISTRATIVE TRIBUNAL,
ALLAHABAD BENCH
ALLAHABAD**

ALLAHABAD this the 21st day of *December, 2018*.

HON'BLE MS. AJANTA DAYALAN, MEMBER (A).

Civil Misc. Application No. 330/02226/2018

IN

Original Application Number. 330/0658/2017.

T.G. Mishra, aged about 76 years, S/o Late P.D. Mishra, R/o 28/12 A,
Tularam Bagh, Jawahar Lal Neharu Marg, Allahabad.

.....Applicant.

VE R S U S

1. Union of India through Secretary to the Ministry of Personnel, PG & Pensions, Department of Pension & Pensioners' Welfare, 3rd Floor, Lok Nayak Bhawan, Khan Market, New Delhi.
2. Union of India through Defence Secretary, Ministry of Defence, Govt. of India, South Block, New Delhi - 110011.
3. Director General of Ordnance Services (OS-8C), Army Headquarters, DHQ PO, New Delhi - 110011.
4. Commandant, Central Ordnance Depot, Chheoki, Allahabad.
5. Principal Controller of Defence Accounts (Pension), Draupadighat, Allahabad.

.....Respondents

Advocate for the applicant : Shri Swayambar Lal

Advocate for the Respondents: Shri L.M. Singh

ORDER

Learned counsel for the applicant submitted that he has filed MA No. 330/02226/2018 to withdraw this OA with liberty to the applicants to file fresh O.A. Learned counsel for the respondents does not object to withdrawal of the OA but does object to the prayer to file fresh OA.

2. However, as liberty to file fresh OA is always available to the applicant and the fresh OA is then examined on its own merits including limitation, MA No. 330/02226/2018 is allowed and the OA is dismissed as withdrawn with liberty to the applicant to file fresh O.A.

(AJANTA DAYALAN)
MEMBER- A.

Anand...