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

ORIGINAL APPLICATION NO. 71 OF 2019

Date Of Decision:- 23rd January, 2019.

***CORAM: R. VIJAYKUMAR, MEMBER (A).
R. N. SINGH, MEMBER (J).***

Shri S. K. Parwani

Age 65 years,
Chief Engineer (NFSG), MES,
Resident of 7, Hemu Kalani Housing
Coop Society,
Phase I, Pimpri, Pune,
Maharashtra, PIN 411 017.

...Applicant.

(By Advocate Shri Anupam Chattopadhyay)

Versus

1. ***Union of India,***
Represented by Secretary
to Ministry of Defence,
South Block, New Delhi-110 011.

2. ***Engineer in Chief***
Kashmit House, Rajaji Marg,
New Delhi 110011.

3. ***Secretary, Union Public Service
Commission,***
Dholepur House, Shahjehan Road,
New Delhi-110011.

... Respondents.

ORDER (ORAL)

Per:- R. N. Singh, Member (J)

1. Today, when the matter was called out for admission, heard Shri. Anupam Chattopadhyay, learned counsel for applicant. We have carefully perused the case records.
2. The applicant who retired as Chief Engineer

(NFSG) under the respondents has filed the present OA with the following reliefs:-

“8(a) The departmental disciplinary proceedings initiated with charge sheet No.13011/9/08/D Vig dated 08 January 2010 be quashed and set aside, with that all the follow up action like holding inquiry, reference to UPSC etc. should also be set aside and quashed.

(b) The payment for the unwarranted portion of the suspension as held by Hon'ble Kolkata Bench of CAT be allowed to the applicant with full interest.”

3. At the outset, the learned counsel for applicant says that he is under instructions from his client who is present in Court today that he does not wish to press the relief clause 8(b) which is as under:-

“8(b) The payment for the unwarranted portion of the suspension as held by Hon'ble Kolkata Bench of CAT be allowed to the applicant with full interest.”

4. The learned counsel for applicant submits that he will make appropriate representation with the department with regard to the aforesaid prayer Clause 8(b).

5. Under instructions, the learned counsel for applicant further submits that with regard to prayer Clause 8(a)

in the OA that the applicant has already made a representation to the competent authority on 07.01.2019 and the same is pending consideration. This OA has been filed on 04.01.2019 i.e. prior to making a representation.

6. After arguing for sometime, the learned counsel for applicant seeks permission to withdraw this OA under instructions with liberty to the applicant in accordance with law. Permission is granted.

7. In view of the above, the said OA is dismissed as withdrawn with liberty. No order as to costs.

(R.N. Singh)
Member (J)

srp

[Handwritten signatures of R.N. Singh and R. Vijaykumar]

(R. Vijaykumar)
Member (A)

