

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

ORIGINAL APPLICATION NO. 732 OF 2016

Date Of Decision:- 24th January, 2019.

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

Shiva Shanker Lal
Ex.Asstt. Manager,
Group A (Gaz), Aged 66 years of NAD Karanja,
and R/a: Flat No. 103, Shiv Shakti Co-op.
Housing Society, Kamatha, Uran,
Navi Mumbai 400702.

....Applicant

(Applicant by Advocate Shri. A.I. Bhatkar)

Versus

1. The Union of India,
Through The Secretary, Ministry of Defence,
South Block, New Delhi 110001.

2. The Chief of Naval Staff
Integrated Headquarters,
Ministry of Defence (Navy)
Director General of Naval Armament,
Sena Bhavan, New Delhi 110011.

3. The Chief General Manager
Naval Armament Depot, Gun Gate,
Shahid Bhagat Singh Road,
Mumbai 400023.

4. The General Manager,
Naval Armament Depot, Naval Station,
Karanja, Tal. Uran, Raigarh 400704.

5. The Principal Controller of Defence Accounts,
Pay Section, No.1, Co-operage Road, Colaba,
Mumbai 400039.

....Respondents

(Respondents by Advocate Shri. R.R. Shetty)

ORDER (ORAL)
Per: R. Vijaykumar, Member (A)

1. Heard Shri. A.I. Bhatkar, learned counsel for applicant and Shri. R.R. Shetty, learned counsel for respondents.

2. After arguing for some time, the learned counsel for applicant submits that during the pendency of the OA the respondents have considered the applicant's representation and have passed an order dated 19.12.2016 (Annexure R-6). The learned counsel for applicant seeks permission to withdraw the said OA with liberty to challenge the said order dated 19.12.2016 in accordance with law. The said OA is accordingly dismissed as withdrawn.

3. It is made clear that, if the applicant files the OA to challenge the same order dated 19.12.2016 within four weeks of receipt of certified copy of this order, the limitation shall not come in the way of the applicant if the OA is not found otherwise barred by limitation.

4. In the aforesaid terms, the OA is dismissed as withdrawn. No order as to costs.

(R.N. Singh)
Member (J)

(R. Vijaykumar)
Member (A)

Srp