

**CENTRAL ADMINISTRATIVE TRIBUNAL  
KOLKATA BENCH, KOLKATA**

O.A/350/282/2015

Date of Order: 19.11.2019

**Coram: Hon'ble Ms. Bidisha Banerjee, Judicial Member**

Shri Nirmal Kanti Dutta, son of Late Manindra Bhusan Dutta, aged about 38 years, residing at Kalipur, Biren Roy Road, (West Sukanta Park), Kolkata 700061.

**--Applicant****Versus**

1. The Union of India, through the Secretary, Ministry of Finance, Department of Revenue, North Block, New Delhi - 1.
2. The Chief Commissioner of Income Tax, Aaykar Bhawan, P- 7, Chowringhee Square, Kolkata 700069.
3. The DCIT, Headquarters (Admn.) P-7, Chowringhee Square, Kolkata 700069.

**--Respondents**

For The Applicant(s): Mr. A. Chakraborty, counsel  
Ms. P. Mondal, counsel

For The Respondent(s): Mr. P. Mukherjee, counsel

**ORDER (ORAL)**

Per: Ms. Bidisha Banerjee, Member (J):

This matter is taken up in the Single Bench in terms of Appendix VIII of Rule 154 of CAT Rules of Practice, as no complicated question of law is involved, and with the consent of both sides.

2. Heard ld. counsels for both sides.
3. By way of supplementary affidavit, respondents have brought on record the comparative assessment of candidates and the actual amount of terminal benefit received by the applicant which according to the respondents is Rs. 6,35,011/-.

4. Ld. counsel for the applicant seeks liberty to withdraw the present to challenge the assessment and to seek benefits of the judgment in **Balbir Kaur & Anr. vs. Steel Authority of India Ltd. & Ors.**, (2000) 6 SCC 493, as well as **Canara Bank & Anr. Vs. M. Mahesh Kumar** [AIR 2015 SC 2411].

5. Accordingly, the present O.A stands withdrawn with the aforesaid liberty.

*Bidisha Banerjee*  
(Bidisha Banerjee)  
Member (J)

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