

**CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH**

**O.A. No. 3188/2019**

New Delhi, this the 1<sup>st</sup> day of November, 2019

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman  
Hon'ble Mr. Mohd. Jamshed, Member (A)**

Shri Ajay Kumar Sharma,  
S/o Shri J.P. Sharma,  
Rt. A.E.,  
Age 53 years, Group 'B',  
R/o 9/80, Sector-3,  
Rajinder Nagar, Sahibabad,  
Ghaziabad.

.. Applicant

(By Advocate : Shri Rajeev Sharma)

Versus

1. The Commissioner,  
South Delhi Municipal Corporation,  
Dr. S.P. Mukherjee Civic Centre,  
9<sup>th</sup> Floor, J.L. Marg,  
New Delhi.
2. The Addl. Commissioner (Engg.),  
South Delhi Municipal Corporation,  
Dr. S.P. Mukherjee Civic Centre,  
6<sup>th</sup> Floor, J.L. Marg,  
New Delhi.

.. Respondents

(By Advocate : Shri R.K. Jain)

**ORDER (ORAL)****Justice L. Narasimha Reddy, Chairman :-**

The applicant was working as Assistant Engineer in the South Delhi Municipal Corporation (SDMC), the first respondent herein. Through an office order dated 13.09.2019, passed in exercise of power under FR 56(j) and Rule 48 of the CCS (Pension) Rules, 1972, the respondents directed compulsory retirement of the applicant. This O.A. is filed challenging the said order.

2. We heard Shri Rajeev Sharma, learned counsel for applicant and Shri R.K. Jain, learned counsel for respondents.

3. In the matters of this nature, a review under FR 56(j) is provided. It would be in the interest of the applicant, that he exhausts this remedy and approach the Court, if only, he does not get any relief there. When the same is pointed out, the learned counsel for applicant sought permission of the Tribunal to withdraw the O.A.

with liberty for the applicant to seek the relief of the review.

4. We, therefore, dismiss the O.A. as withdrawn, leaving it open to the applicant to avail the relief of review under FR 56(j). If the review is filed within two weeks from today, it shall be disposed of within a period of four weeks, from the date of receipt thereof.

There shall be no orders as to costs.

Order **Dasti**.

**(Mohd. Jamshed)**  
**Member (A)**

**(Justice L. Narasimha Reddy)**  
**Chairman**

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