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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 124/2008

UOI THR. THE CHAIRMAN CENTRAL BOARD OF TRUSTEES
EMPLOYEES PROVIDENT FUND & MINISTRY FOR LABOUR
EMPLOY

..... Petitioner

Through: Mr Keshav Mohan, Adv.

versus

S.R.GUPTA

..... Respondent

Through: Mr Prashant Khatana, Adv.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE DEEPA SHARMA

ORDER

% **29.08.2017**

CM APPL. 31200/2017 (for withdrawal of writ) and W.P.(C) 124/2008

1. The present application has been filed by the petitioner/Union of India praying *inter alia* for leave to withdraw the present petition.
2. Learned counsel for the petitioner states that the question of law involved in the present petition, was decided by the Supreme Court vide order dated 11.09.2014, passed in SLP(C) No.16753/2013 titled "*Chairman, CBT, EPF vs. A. Mohammad Basha*", thereby upholding the judgment dated 16.07.2012 passed by the Division Bench of the Madras High Court in W.P.(C) No. 24736/2010, holding *inter alia* that EPFO has no authority to continue disciplinary proceedings in respect of those officers who had retired prior to 25.09.2008, the date on which the petitioner had adopted the CCS (Pension) Rules. Copies of the judgment/order in the captioned cases have been enclosed with the present application.

3. Notice.
4. Mr Prashant Khatana, Advocate accepts notice and states that he has no objection to the prayer made in the application, being allowed.
5. Accordingly, the application is allowed and disposed of.
6. The writ petition is disposed of as not pressed.

HIMA KOHLI, J

DEEPA SHARMA, J

AUGUST 29, 2017
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