

interregnum, the applicant applied for voluntary retirement in 2005 without reserving her rights and contentions to pursue this proceeding and such application for voluntary retirement having been granted, the applicant retired from service of the respondent no.2.

3. We enquired of Mr. Rao, learned advocate for the applicant, as to whether the applicant had applied for voluntary retirement without prejudice to her rights and contentions to pursue the writ petition, which by that time stood dismissed. Mr. Rao could not answer in the affirmative.

4. In our opinion, that is the end of the matter. Having applied for retirement voluntarily and without reserving her rights to raise all points in the writ petition, the applicant is deemed to have waived her rights in respect of the claim that was raised before the Tribunal.

5. For the reasons aforesaid, we find no reason to recall the order dated May 6, 2004. Hence, the application for recall stands dismissed. No costs.

(M. S. KARNIK, J.)

(CHIEF JUSTICE)