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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

NEW DELHI.

OA 2300/98

New Delhi this the 24th day of November, 1998.

Hon'ble Smt. Lakshmi Swaminathan, Member (J)

Hon'ble Shri N. Sahu, Member (A)

Om Prakash,
S/O late Sh. Mahashay Laxman Singh
R/O 115, Police Colony,
Shalimar Bagh,
Delhi.

... Applicant

(By Advocate Shri L.C.Rajput)

Vs.

1. Commissioner of Police,
Delhi Police,
Police Headquarters,
I.P.Estate, New Delhi.

2.D.C.P. (Hq-III),
Police Headquarters,
I.P.Estate, New Delhi.

3.S.H.O.,
Police Station, Shalimar Bagh,
Delhi.

... Respondents

O R D E R (ORAL)

(Hon'ble Smt. Lakshmi Swaminathan, Member (J))

We have heard Shri L.C.Rajput, learned counsel for the applicant.

2. Learned counsel has submitted that the applicant had submitted his application for voluntary retirement on 1.4.97 which had been accepted by the respondents by their order dated 30.6.97. After 14 months, the applicant had submitted an application to withdraw his request for voluntary retirement by the application dated 15.9.1998. Learned counsel has submitted that the applicant was under pressure to submit his voluntary retirement application because he was not in a mentally sound condition. In other words, he submits that he was medically declared as insane. To ~~answer~~ ^{answer} the question put by us to the learned counsel he submits that he has nowhere in the OA stated that ^{applicant is} is now fit to be taken back in

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3

service. On the other hand, learned counsel submits that the reason why he wants the applicant to be taken back in service is that because of a subsequent Notification dated 13.5.98 which has been issued by the respondents extending the age of superannuation from 58 years to 60 years, if the applicant is taken back in service he will get the facility of medical treatment as well as retention of Govt. quarter for another two years and medical reimbursements etc.

3. In the above facts and circumstances of the case, we find that the applicant has not shown any enforceable right to be taken back in service. The O.A. also fails on the ground of laches and delay and is accordingly dismissed at the admission stage.

No order as to costs.

(N. Sahu)
Member (A)

(Smt. Lakshmi Swaminathan)
Member (J)

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