

Central Administrative Tribunal
Principal Bench: New Delhi

O.A. No. 933/98

3 (8) New Delhi dated this the 1st day of December, 1998

Hon'ble Shri S.R. Adige, Vice-Chairman (A)
Hon'ble Shri Ratan Prakash, Member (J)

Fateh Singh Constable No. 117/RB
S/o Shri Rishal Singh,
R/o 19/73, West Moti Bagh,
Sarai Rohilla, Delhi.Applicant
(By Advocate: Shri Hori Lal)

Versus

Union of India,
Through- The Deputy Commissioner of Police,
Rashtrapati Bhawan,
New Delhi.Respondents

(By Advocate: Shri Girish Kathpalia)

ORDER (Oral)

By Hon'ble Shri S.R. Adige, Vice-Chairman (A)

Applicant prays for acceptance by
respondents of his prayer for voluntary retirement dated
4.4.98 (Annexure-B).

2. We have heard applicant's counsel Shri
Hori Lal and respondents' counsel Shri Girish Kathpalia.

3. Shri Girish Kathpalia invites attention
to respondents' reply to the OA and points out that the
request of the applicant for voluntary retirement has
been rejected on account of the pending criminal cases
against him.

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4. The pendency of criminal cases against the applicant should not act as a bar to respondents in accepting applicant's prayer for voluntary retirement, because the criminal cases against him can proceed even after his prayer for voluntary retirement has been accepted.

5. Under the circumstances the O.A. succeeds and is allowed to the extent that respondents are called upon to issue appropriate orders accepting applicant's prayer for voluntary retirement within one month from the date of receipt of a copy of this order, without prejudice to their rights to pursue the criminal cases against him.

6. The OA stands disposed of accordingly.

No. costs.

R. Prakash
(Ratan Prakash)
Member (J)

S. R. Adige
(S. R. Adige)
Vice-Chairman (A)

cc.