

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

NEW DELHI

(10)

O.A. No. 883/86.
T.A. No.

199

DATE OF DECISION 31.7.1991.

<u>Shri P.C. Gularia</u>	<u>Petitioner</u> Applicant
<u>Shri S.N.Bhardwaj</u>	Advocate for the Petitioner(s) Applicant
Versus	
<u>Union of India & Ors.</u>	Respondents
<u>Shri N.S.Mehta</u>	Advocate for the Respondent(s)

CORAM

The Hon'ble Mr. JUSTICE U.C. SRIVASTAVA, VICE CHAIRMAN (J)

The Hon'ble Mr. I.P. GUPTA, ADMINISTRATIVE MEMBER

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgement ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?

JUDGEMENT

(JUDGEMENT DELIVERED BY HON'BLE MR.
I.P.GUPTA, ADMINISTRATIVE MEMBER)

The applicant had been working in the office of the Directorate General of Security, R.K. Puram, New Delhi, as a Deputy Field Officer (Technical). He has mentioned in his application that he was slow poisoned by some of his colleagues on 31st of March, 1982 and he remained under the influence of slow poisoning for quite some time. During this period, he had signed six sheets of blank paper and he has said that his application seeking compulsory retirement was forged by one of his colleagues. Some medical certificates annexed give indication that he has undergone some psychiatric treatment.

2. In the counter affidavit filed by the respondents,

it has been pointed out that at one point of time Shri Gularia ~~alleged that~~ sent in his application for voluntary retirement and at another time withdrawal application. ^{his} ~~was forged~~ He has been making contradictory statements. He was also asked by his authorities to get himself medically examined at Dr. Ram Manohar Lohia Hospital but he did not undergo the medical examination. The organisation in which he had worked was a security organisation. In view of his notice for voluntary retirement, he was allowed to retire voluntarily, more so when he insisted on voluntary retirement.

3. In view of conflicting statements made by the applicant who at one time said that his original notice for retirement was forged and on another that his withdrawal notice was forged and when there is nothing on the record to prove that the notice for voluntary retirement was not signed by him nor to prove that his letter consequent upon the telegram (received by the office on 8.11.82) wherein he had said that his application for voluntary retirement should not be withdrawn, the Tribunal is not in a position to grant the relief sought for and set aside the impugned order of retirement. The application is dismissed. It is, however, left to the concerned Department of the Govt. to consider what help they can render to the applicant.

There will be no order as to costs.

/PKK/

I. P. Gupta
(I. P. GUPTA)
MEMBER (ADMN)
31.7.91.

U.C. Srivastava
(U.C. SRIVASTAVA)
VICE CHAIRMAN
31.7.91.