

THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH,
JAIPUR.

O.A.NO. 824/92 : Date of order: 24.11.93

Birdhi Lal : Applicant.

Mr. Virendra Lodha : Counsel for applicant.

VERSUS

Union of India & Ors. : Respondents.

Mr. M.Rifiq : Counsel for respondents.

CORAM:

HON'BLE MR. JUSTICE D.L.MEHTA, VICE CHAIRMAN

HON'BLE MR. P.P.SHRIVASTAVA, ADM. MEMBER

PER HON'BLE MR. JUSTICE D.L.MEHTA, VICE CHAIRMAN

Heard, the learned counsel for the parties. The applicant was granted voluntary retirement on his application. However, the applicant withdrew the order of voluntary retirement before expiry of 3 months notice. The applicant continued in employment however, because of the voluntary retirement some pensionary benefits were given to the applicant and some amount was paid to the applicant. The applicant was duty bound to return the payment of the ~~xxx~~ said amount before he can be settled after his retirement after attaining the age of superannuation on 31st May, 93. So in the result, O.A. is partly accepted and it is directed that the amount paid earlier to the applicant on account of voluntary retirement should be adjusted in the amount which is to be paid after his retirement on 31st May, 93

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Respondents will have the right to charge interest @ 12½ on the amount retained by the applicant and referred to in Annexure A/16. The interest shall be payable from the date of reinstatement. The remaining amount after the adjustment should be paid to the applicant within a period of 2 months after the receipt a copy of this order.

Q.A. stands disposed of accordingly, with no order as to costs.


(P.P. SHRIVASTAVA)
Adm. Member


(D.L. MEHTA)
Vice Chairman

Anil