

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

CP 502/2016 in
OA 4229/2012

Reserved on: 28.09.2017
Pronounced on: 01.11.2017

Hon'ble Mrs. Jasmine Ahmed, Member (J)
Hon'ble Mr. R. Ramanujam, Member (A)

Mr. Surjit Singh
S/o Shri Mohan Singh
R/o 37/7, Ist floor,
East Patel Nagar,
New Delhi-8

... Applicant

(Through Shri M.S. Saini, Advocate)

Versus

1. Shri Arun Goel
Vice Chairman
Delhi Development Authority,
Vikas Sadan, INA,
New Delhi.
2. Shri (Lt.Col) Rohit Jalwi,
Garrison Engineer (North)
Air Force, Palam
Delhi Cantt., New Delhi

... Respondents

(Through Ms. Sriparna Chatterjee, Advocate for R-1
Shri Satish Kumar, Advocate for R-2)

ORDER

Mrs. Jasmine Ahmed, Member (J)

On 4.12.2015, the Tribunal passed the following order in OA
4229/2012:

- "7. In view of the aforementioned, Original Application is disposed of with direction to the respondents to reexamine the claim of the applicant for counting of past service rendered by him in MES for the purpose of pensionary

benefits and his eligibility to seek voluntary retirement from service, within eight weeks from the date of receipt of a copy of this order.”

2. The issue in the above OA was of counting of past service of the applicant in Military Engineering Service (MES) with effect from 5.10.1972 to 31.07.1981. The applicant applied for the post of Junior Engineer (JE) in Delhi Development Authority (DDA) and joined in DDA in the year 1981. Vide letter dated 1.01.2000, he tendered his resignation from the post of JE in DDA. His resignation was accepted with effect from 1.01.2000 subject to payment of three months pay.

3. It is the contention of the learned counsel for the applicant that past service rendered by the applicant in MES should be counted for the purpose of voluntary retirement. The aforementioned OA was filed with this prayer wherein the Tribunal passed the order quoted above.

4. The respondents, in pursuance of the order dated 4.12.2015, have passed a detailed order dated 3.02.2017 wherein they have stated that the applicant was not entitled for voluntary retirement since he had not completed required length of 20 years of service. It has further been stated in the order dated 3.02.2017 passed by the respondents that since no technical resignation was ever received from the individual concerned, his past service rendered in MES could not be taken into account for the purpose of voluntary retirement.

5. We find that in compliance of the Tribunal's order dated 4.12.2015, the respondents have reexamined the claim of the

applicant and passed a detailed reasoned order. No case of contempt is made out. Since the order of the Tribunal has been complied with, the Contempt Petition is closed. Notices are discharged. If the applicant is still aggrieved, he is at liberty to seek recourse as per law.

(R. Ramanujam)
Member (A)

(Jasmine Ahmed)
Member (J)

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