

Central Administrative Tribunal Principal Bench, New Delhi

O.A.No.2725/2017

Tuesday, this the 24th day of October 2017

**Hon'ble Mr. Justice Permod Kohli, Chairman
Hon'ble Mr. K.N. Shrivastava, Member (A)**

Dr. Om Prakash Agarwal
s/o late Sh. Hanuman Das Agarwal
r/o Flat No.1995, Type IV
Delhi Admn. Flats, Gulabi Bagh
Delhi – 110 007

Aged about 62 years
(Group A)
(SAG-Public Health Specialist Sub-Cadre-CHS)

(Mr. Ajesh Luthra, Advocate) ..Applicant

Versus

1. Govt. of NCT of Delhi
Through its Chief Secretary
A Wing, 5th Floor, Delhi Secretariat
IP Estate, New Delhi
2. The Principal Secretary
(Health & Family Welfare)
(GNCT of Delhi)
9th Floor, A Wing, IP Estate
Delhi Secretariat, Delhi – 110 002
3. Directorate of Family Welfare
(GNCT of Delhi)
B & C Wing, 7th Floor, Vikas Bhawan – II
Near Met Calf House, Civil Lines
Delhi – 110 054
4. Union of India through its Secretary
(Ministry of Health & Family Welfare)
Room No.348, A Wing
Nirman Bhavan, New Delhi – 110 011

..Respondents
(Mr. N K Singh, Advocate for Mrs. Avnish Ahlawat, Advocate for
respondent Nos.1 to 3 – Mr. Satish Kumar, Advocate for respondent No.4)

O R D E R (ORAL)**Justice Permod Kohli:**

Vide the impugned order dated 08.08.2017 (Annexure A/1) issued by the Government of NCT of Delhi, the applicant was retired from government service w.e.f. 31.05.2017. The applicant is Central Government employee working as Doctor in the Central Health Service.

2. Today, when the matter was taken up for hearing, learned proxy counsel appearing for respondent Nos. 1 to 3 has produced a copy of order dated 20.10.2017 issued by the Government of NCT of Delhi whereby the impugned order dated 08.08.2017 has been withdrawn retrospectively w.e.f. 31.05.2017, i.e., the date of superannuation of the applicant. However, Mr. Ajesh Luthra, learned counsel appearing for applicant submits that even though the impugned order has been withdrawn retrospectively, there is no direction for payment of salary for the intervening period.
3. In view of the above submissions, this O.A. is disposed of with direction to the respondents to pay salary to the applicant for the intervening period within two months from the date of receipt of a copy of this order.

(K.N. Shrivastava)
Member (A)

(Justice Permod Kohli)
Chairman

October 24, 2017
/sunil/