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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 6293/2004

J.RAM PRASAD

..... Petitioner

Through: Mr. C. Rakee Sridharan, Advocate

Versus

UOI & ORS.

.....Respondents

Through: Mr. Ripu Daman Bhardwaj,
Advocate for respondent No.1

Mr. Rajiv Ranjan Mishra and Mr. Santosh
Kumar, Advocates for respondents No.2 & 3

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

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27.04.2018

C.M. 5684/2018 (u/S 5 of Limitation Act)

There is delay of 63 days in filing the accompanying application seeking restoration of the writ petition.

Upon hearing, I find that averments made in this application provide sufficient cause to condone the delay occasioned. Application is allowed and delay is condoned.

The application is disposed of.

C.M.24444/2017 (u/S 151 CPC)

By way of this application, restoration of writ petition is sought.

Upon hearing, I find that sufficient cause is shown to restore the writ petition to its original position. It is ordered accordingly.

The application stands disposed of.

W.P.(C) 6293/2004

In this petition, voluntary retirement with consequential benefits is sought by petitioner. During the pendency of this petition, respondent vide order of 20th October, 2008 has compulsorily retired petitioner and the gratuity, etc., has been released to petitioner.

Learned counsel for respondents submits that there is no challenge to order of 20th October, 2008 of which petitioner was made aware.

Since petitioner has been compulsorily retired, therefore, the relief claimed in this petition cannot be granted.

So far as Annexure 'A' to the writ petition granting Voluntary Retirement to petitioner is concerned, it stood superseded by order of 26th June, 2001. Regarding petitioner's claim for salary from 1st October, 2002, respondents' counsel has handed over a copy of Communication of 18th September, 2012, which indicates that amount of ₹68,000/- odd has been paid to petitioner towards outstanding dues, etc..

In the light of aforesaid, this petition is disposed of as infructuous, as petitioner has not taken any steps qua his compulsory retirement or against aforesaid Communication of 18th September, 2012.

**(SUNIL GAUR)
JUDGE**

APRIL 27, 2018
s/r