

\$~R-91

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

% *Date of decision: February 8, 2023*

+ W.P.(C) 250/2011 & CM APPL. 457/2011

DESH RAJ SINGH

..... Petitioner

Through: Mr. Srish Mishra, Advocate (VC)

versus

UNION OF INDIA & ORS

..... Respondents

Through: Mr. Bhagvan Swarup Shukla, CGSC
with Mr. Vikrant, Advocate and Mr.
Sourabh Bhushan, Law Officer, RAF

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

J U D G M E N T (oral)

1. Vide the present writ petition, petitioner is seeking a direction to the respondents to issue discharge certificate of petitioner on voluntary retirement on completion of more than 20 years services after tendering application for voluntary retirement dated 05.10.2010 and notice period had expired without conveying of acceptance or denial of it in terms of Rule 48-A (1) & (2) of Central Civil Service (Pension) Rules, 1972.

2. Learned CGSC for respondents has produced an Office Order dated 23.08.2016, issued after filing of the present petition, whereby relief(s) sought by the petitioner have been satisfied. The aforesaid Office Order is reproduced as under:

"Office of the Commandant 110 Bn CRPF C/o 56 APO

No.P.III-1/16-110-EC-1

Dated, the 23 August' 2016.

OFFICE ORDER

1. In accordance with the provision contained in Rule 43(d) of CRPF Rules 1955 read with Rule 48 (a) for CCS (Pension) Rule 1972,

W.P.(C) 250/2011

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*the notice dated 08/08/2016 tendered by No.880912826 ASI/GD DESHRAJ SINGH of this unit seeking voluntary retirement form service is hereby accepted w.e.f. 31/10/2016 (AN). Accordingly, he will proceed on **Voluntary Retirement w.e.f. 31/10/2016 (AN)** and will stand struck off from the strength of this unit w.e.f. the same date i.e. from 31/10/2016 (A/N).*

2. As intimated by Commandant 104 BN, RAF vide O/O No.C-II-4/10-104-SRC-1 dated 04/02/2010. No.880912826 ASI/GD DESHRAJ SINGH has completed 21 years 02 months of qualifying, service as on 30/09/2009 as per PAO, CRPF, N/Delhi letter No.VQS/S-5/104 RAF/09/5144 dated 22/01/2010.

3. No.880912826 ASI/GD DESHRAJ SINGH of this unit who is proceeding on voluntary retirement form service w.e.f. 31/10/2016 (AN) is free from vigilance angle and no vigilance/judicial/criminal cases is either pending or being contemplated against him and his integrity is beyond doubt.

4. Certified that no any dues is outstanding against the individual on account of HBA, MCA and penal recoveries etc.

5. The above individual is not occupying Govt. Quarters.

(KISHORE KUMAR)
COMMANDANT-110 BN

3. Learned counsel for petitioner, who is appearing through video conferencing, has also submitted that the relief(s) sought by the petitioner have already been satisfied and now, nothing remains in this petition.

4. In view above, the present petition is disposed of being infructuous.

5. Pending application also stands disposed of.

(SURESH KUMAR KAIT)
JUDGE

(NEENA BANSAL KRISHNA)
JUDGE

FEBRUARY 8, 2023/rk