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

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Date of Decision : 13.02.2026

+ **W.P.(C) 6501/2020**

DR Y P SINGH

.....Petitioner

Through: Dr. S S Hooda, Adv.

versus

UNION OF INDIA &amp; ORS.

.....Respondents

Through: Mr. Satya Ranjan Swain, CGSC, Mr.  
Kautilya Birat, Mr. Ankush Kapoor &  
Mr. Vishwadeep, Advs.**CORAM:****HON'BLE MR. JUSTICE V. KAMESWAR RAO****HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA****V. KAMESWAR RAO, J. (ORAL)**

1. This petition has been filed with the following prayers:

*“a. Issue a writ, Order or direction in the nature of certiorari and quash the impugned Order dated 31.12.2019 whereby the Notice of Voluntary Retirement of the Petitioner was accepted. And*

*b. Issuance a writ Order or direction in the nature of Mandamus directing the respondents to re-instate the petitioner in service with all consequential benefits. In the alternative;*

*c. Issue a writ Order or direction in the nature of Mandamus directing the Respondents to pay interest on the GPF till the date of disbursement of GPF as per the provisions of Rule 11(4), the General Provident Fund (Central Services) Rules,*



1960. And

*d. Direct the Respondent No. 4-5 to release pension and other pensionary benefits like leave encashment of 299 days, gratuity of Rs. 20 lacs, commutation of Rs. 18.46 lacs (approx.), DCRG, etc. with interest till date of disbursement, to the Petitioner immediately.”*

2. The prayers made in this petition are primarily with regard to voluntary retirement order dated 31.12.2019, whereby, the notice of voluntary retirement of the petitioner was accepted. He seeks payment of interest on GPF till the date of disbursement and payment of interest on the delayed release of pension.

3. The first submission of Dr. S S Hooda, learned counsel for the petitioner is that the petitioner had submitted his request for voluntary retirement in the month of August, 2019. The same was accepted by the respondents on 31.12.2019. According to him, the petitioner had withdrawn his request for voluntary retirement on the ground that in the month of September, 2019, the age of retirement for the post of Commandant had been increased from 57 years to 62 years.

4. However, the respondents rejected the request for withdrawal of voluntary retirement. He would state that in view of the settled position of law in **Balram Gupta v. Union of India, (1987) Supp SCC 288**, the rejection of the request for withdrawal of voluntary retirement is bad in law.

5. We are unable to accept such a plea of Dr. Hooda for the simple reason that the request as made by the petitioner in the month of August, 2019, was accepted on 31.12.2019 i.e. after a period of four months.



6. At no point of time, during the interregnum, did the petitioner expressed himself or asked for the withdrawal of his request. Once, the request has been accepted, the same could not have been withdrawn subsequently as has been sought to be done by the petitioner *vide* his letter dated 24.02.2020.

7. It is the case of Dr. Hooda that the petitioner had no knowledge of the increase in the retirement age and it came to his notice only after the request for voluntary retirement was accepted and hence he made the request for the withdrawal of the same.

8. Even such a plea is not tenable for the simple reason that the request having been accepted could not be withdrawn. The judgment of **Balram Gupta (supra)**, relied upon by Dr. Hooda has no applicability in the facts of this case, more so, in view of the reasons given above. Insofar as, the claim for interest for the GPF is concerned, the submission of Dr. Hooda is that the petitioner has received interest on the GPF till 31.12.2019 but the GPF was released on 03.03.2020, and as per the rules the petitioner is entitled to interest till 28.02.2020 and the same ought to have been released to him.

9. A similar submission has been made by Dr. Hooda, that the voluntary retirement having been accepted on 31.12.2019, the retiral benefits were paid only in the month of December, 2020, even though the Pension Payment Order (PPO) was prepared in the month of July, 2020, and hence there was a delay of almost one year in releasing the pensionary benefits.

10. Appropriate shall be that the request of payment of interest on GPF/delay in release of retiral benefits be considered by the respondents and



a reasoned and speaking order be passed in view of the facts stated by Dr. Hooda. The decision thereof be communicated to the petitioner within a period of six weeks from the date of receipt of this order. If the petitioner is entitled to interest on one or both the counts, the same shall be paid to him within a period of four weeks from the date of the passing of the order. If the petitioner is aggrieved by the order to be passed, liberty shall be with the petitioner to lay a challenge in accordance with law.

11. The petition is disposed of.

**V. KAMESWAR RAO, J**

**MANMEET PRITAM SINGH ARORA, J**

**FEBRUARY 13, 2026**

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