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

+ **CONT.CAS(C) 801/2025**

BAIKUNTHA NATH DAS

.....Petitioner

Through: Mr. Ankit Negi, Advocate with Mr.
Arun Kumr, Advocate.

versus

UNION OF INDIA AND ORS

.....Respondent

Through: Mr. Kavindra Kr. Gill, Senior Panel
Counsel for UOI with Mr. Ajaypal,
Law Officer, CRPF.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER
19.05.2025

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1. This petition has been filed alleging wilful disobedience of order dated 26th November 2024 in **W.P (C) 1446/2023**; the relevant directions are as under:



15. In the present case, it is not disputed that the petitioner, due to his medical conditions, had sought voluntary retirement by an application dated 05.03.2021. The same was accepted by the respondents, *vide* its Order dated 10.06.2021, which was to be effective from 30.06.2021. It is also not disputed that the petitioner only wanted a one-month extension to proceed on voluntary retirement from 31.07.2021 instead of 30.06.2021, maybe for the reason that he would have earned one increment in the *interregnum*, which would have become due and payable on 01.07.2021. However, in our opinion, only for this reason, the voluntary retirement of the petitioner which already stood accepted by the respondents could not have been cancelled. At best, the request of the petitioner for postponement of his date of retirement could have been rejected and he should have been directed to proceed on voluntary retirement with effect from 30.06.2021.

16. Accordingly, we direct that the petitioner shall be considered as having proceeded on voluntary retirement with effect from 30.06.2021, and all consequential benefits to the petitioner be released within a period of 12 weeks from the date the petitioner completes all formalities for the release of his pension and other retirement benefits due in accordance with law.

17. The departmental proceedings that have been initiated against the petitioner for his alleged non-reporting at the GC Nagpur, consequent to our above directions, also stand quashed.

2. On advance Notice, counsel appears on behalf of the respondent, along with the concerned Officer, and hands over *speaking order* dated 15th May 2025 by which the compliance has been made of the said order dated 26th November 2024. The petitioner's counsel had not received the same. A copy of the same has been provided to the counsel for the petitioner in Court.



3. In this view of the matter, it is stated that the compliance with relation to the grant of consequential benefits are being complied with.
4. Considering that 12 weeks were given by order dated 26th November 2024, and this decision is already delayed, a maximum of 4 weeks is given for compliance to be done; consequential benefits will be released within the next 4 weeks.
5. Petition is disposed of with the right to the petitioner to revive the petition in case there is any continued infraction.
6. Order be uploaded on the website of this Court.

ANISH DAYAL, J

MAY 19, 2025/RK/na

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