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

+ W.P.(C) 5406/2017 and C.M. Nos.22776-22777/2017

DELHI TRANSPORT CORPORATION

..... Petitioner

Through: Ms. Avnish Ahlawat & Mr. Anuj
Dewan, Advocates.

versus

RAM KISHAN SHARMA

..... Respondent

Through:

CORAM:
HON'BLE MR. JUSTICE VIPIN SANGHI
HON'BLE MS. JUSTICE REKHA PALLI

ORDER
03.07.2017

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The submission of Ms. Ahlawat, learned counsel for the petitioner is that the respondent preferred the Original Application only in the year 2015, even though the respondent had taken voluntary retirement in the year 1993, and at the same time, also received the entire CPF benefits. No claim for pension was made by the respondent at that point of time. Ms. Ahlawat has placed reliance on the decision in ***Delhi Transport Corporation Vs. Madhu Bhushan Anand***, W.P. (C) No.14027/2009 decided on 10.08.2010, wherein a Division Bench of this Court took the view that where claim for pension was made many years after the date of retirement, and after the retired



employee has accepted the CPF benefits, the claim would be considered as being barred by limitation.

Issue notice to the respondent returnable on 16.10.2017.

In the meantime, the operation of the impugned order shall remain stayed.

VIPIN SANGHI, J

REKHA PALLI, J

JULY 03, 2017

B.S. Rohella