

NOTES OF THE REGISTRY	ORDERS OF THE TRIBUNAL
<p>Dt. 12-11-2001</p> <p>Shri C. R. Migra, Ld. Counsel files Vakalatnama for R-2 and prays for time to file counter. Heard. A.O.s back after service from R-1 and R-3. They are absent on call. No steps taken by them to file counter. Call on 5-12-2001 for counter.</p> <p style="text-align: right;">12/11/2001 REGISTRAR</p> <p>Counter not filed.</p> <p>File R-2 on 4/12</p> <p>5-12-2001.</p> <p>Ld Counsel for R-2 prays for time to file counter. Heard. Time granted till 2-1-2002 for counter.</p> <p>A.O.s back after service from R-1 and R-3. They are absent on call. No steps taken by them to file counter.</p> <p style="text-align: right;">12/11/2001 REGISTRAR</p>	<p><u>05. ORDER DATED 18-04-2002.</u></p> <p>In the present Original Application, one of the grievances of the Applicant is that his application for voluntary retirement, under Annexure-1, dated 20th February, 2001 has not been considered. In the counter filed by the Respondents/Railways, none receipt of the said document, under Annexure-1, has been disclosed with the following words;—</p> <p><u>".....The Respondents have never received any application for voluntary retirement as stated by the applicant vide Annexure-1 to the O.A.. otherwise voluntary retirement could have been accepted without any problem as it was considered in case of other persons."</u></p> <p>(emphasis supplied)</p> <p>In the aforesaid letter, under Annexure-1, Applicant prayed to take voluntary retirement, on health ground, with effect from 31-3-2001. Mr. Mishra for the Railways states that the Applicant has not reported to duty, neither at Keonjhar nor at Visakhapatnam, since May, 2001. Apparently, Applicant, <u>being sick</u>, has not been able to report to duty at either of the places.</p> <p>Having heard Mr. Sarangi, learned Counsel for the Applicant and Mr. Mishra for the Respondents/Railways and on perusal of the materials placed on record, the Respondents are, hereby, directed to take into consideration the document as has been filed in this OA, as Annexure-1, as a notice for voluntary retirement (without insisting on the production of the</p>

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

Counter not

filled.

Patra
11/1/02

Registrar

2-1-2002.

The Respondents are absent on call. No steps taken by them to file counter put up before the Bench for further order.

[Signature]
2/1/2002

REGISTRAR

Reg. Registrar Court's
Or. At. 2.1.02

Counter not filed.

[Signature]
1.2.02

Bench

Counter not
filled.

Patra
14/3

Bench

Counter not

filled.

For orders
on meso.

[Signature]

16/4

Bench

the original of the same) within a period of 30 days hence and pass necessary orders thereon within the same time. In the event the Respondents accept the notice, then the Applicant should be allowed to go on retirement w.e.f. 31.3.2001 and, in that event, he should not insist wages/salaries for the periods after 31.3.2001 and in that event, he should be paid pensionary benefits w.e.f. 1.4.2001. The wages/salaries, if any, he has already received after that date, should be adjusted appropriately.

With the above observations and directions, the OA is allowed. No costs.

[Signature]
18/04/2002
(MANORANJAN MOHANTY)
MEMBER (JUDICIAL)