

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL,

BOMBAY BENCH, CAMP AT NAGPUR.

Original Application No.185/92.

Shri M.S.Raut.

..... Applicant.

V/s.

Union of India & Anr.

..... Respondents.

Coram: Hon'ble Shri Justice M.S.Deshpande, Vice-Chairman,  
Hon'ble Shri M.Y.Priolkar, Member(A).

APPEARANCES:-

Applicant by Shri D.B.Mugle.

Respondents by Smt. Indira Bodade.

Oral Judgment:-

I Per Shri M.S.Deshpande, Vice-Chairman I Dt. 26.7.1993.

Heard counsel for the parties. Two reliefs have been sought by the applicant, one is pensionary benefits and the other is gratuity. According to the applicant what is being treated as a letter of resignation was not in fact a letter of resignation dt. 26.3.1986, but request for voluntary retirement. The present application <sup>was</sup> filed on 10.4.1992. The applicant should have approached the Tribunal if he had any grievance about the order passed by the respondents within the period of limitation prescribed. The action taken on the basis of the letter dt. 26.3.1986 would be barred by time.

2. With regard to pension, it is apparent that the applicant had not put in 20 years of service which would have rendered him eligible for pension.

3. With regard to gratuity, Rule 709 of the Manual of Railway Pension Rules 1950 says that if the Railway servant concerned resigns his post gratuity would not be admissible to him.

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4. The applicant is therefore not entitled to any of the reliefs claimed.

5. The application is dismissed with no order as to costs.

  
(M.Y. PRIOLKAR)  
MEMBER (A)

  
(M.S. DESHPANDE)  
VICE-CHAIRMAN

B.