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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

BOMBAY BENCH.

ORIGINAL APPLICATION NO. 4/94.

Shri N.R.Nayak. Applicant.

V/s.

Union of India & Ors. Respondents.

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

Appearances:-

Applicant by Shri P.G.Zare.
Respondents by none.

Oral Judgment:-

(Per Shri M.S.Deshpande, Vice-Chairman) Dt. 18.3.1994.

Heard Shri P.G.Zare for the applicant.

None for the Respondents though notice was served on them. By the impugned order dt. 24.12.1992, the Respondents have refused to accede to the request of the applicant to grant him voluntary retirement because a departmental inquiry on a major charge sheet was pending. In view of the provisions of the scheme for voluntary retirement Clause 2(vii) at page 924 of the Railway Establishment Manual, it is the discretion of the authority not to accept the request for voluntary retirement in such case. No exception can therefore be taken to the impugned order. Since the applicant is seeking voluntary retirement and that is not being granted because of the pending inquiry. We only direct the respondents to complete the departmental proceedings within three months from the date of the receipt of this order. With this direction the OA is disposed of.



(R.RANGARAJAN)
MEMBER(A)



(M.S.DESHPANDE)
VICE-CHAIRMAN