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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

REVIEW APPLICATION NO. 47/97.

IN

ORIGINAL APPLICATION NO. 87/94.

DATE OF ORDER : 16-06-1997.

Between :-

M.A.Wahab

... Applicant

And

1. Chief Personnel Officer,
SC Rlys, Rail Nilayam,
Sec'bad - 500 371.
2. Chief Mechanical Engineer,
S.C.Railway, Rail Nilavam.
3. Financial Adviser & Chief
Accounts Officer,
SC Rlys, Rail Nilayam,
Sec'bad - 500 371.

... Respondents

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Counsel for the Applicant : Shri M.Tirumala Rao

Counsel for the Respondents : Shri J.R.Gopal Rao, SC for Rlys

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CORAM:

THE HON'BLE SHRI R.RANGARAJAN : MEMBER (A)

THE HON'BLE SHRI B.S.JAI PARAMESHWAR : MEMBER (J)

(Order per Hon'ble Shri B.S.Jai Parameshwar, Member (J)).

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(Order per Hon'ble Shri B.S. Jai Parameshwar, Member (J)).

None for the applicant. Heard Shri ^{Phalgun Rao} ~~Phalguna Rao~~ for Sri J.R. Gopal Rao, standing counsel for the respondents.

2. The applicant has filed this R.A. for reviewing the judgement dt. 21-1-97 in the O.A. It is his grievance that this Bench has failed to take into consideration the Railway Board letter No. F(E) III/79/PN-1/20 dt. 9-8-88 and another letter dt. 17-4-1984, which are enclosed to OA at pages 18 and 19. Further he has stated that the date of acceptance^{-nce} of resignation is 11-9-86 and the letter shows^{ed} that the applicant was in continuance of service. The judgement dt. 21-1-97^L to be reviewed.

3. The Annexures to OA that^{is} at at pages 18 and 19 were considered by this Bench and made observations in para-6 of the OA judgement. The applicant at the time of his submitting his resignation had not put in required number of years of service. Even though the applicant submitted his resignation on 25-11-83, it was accepted on 11-9-86 as he was due^{to repay} the House Building Advance to^{the} Railway Administration. The applicant had not worked during the period from 25-11-83 to 11-9-86. Hence in the judgement we have observed that the applicant is not entitled to the pensionary benefits and also^{that when} he had submitted his resignation in 1983, he^{could} cannot now turn back and say that he may be permitted to take voluntary retirement. This Bench after taking into consideration the rules and circulars in force and also the letter dt. 9-8-1988 and 17-4-1984 formed an opinion that applicant cannot claim the benefit of voluntary retirement from

11-9-1986. Hence There is no error apparent on the record.

Hence there are no grounds to review the judgement.

4. Review Application is therefore dismissed. No order as to costs.



(B.S. JAI PARAMESHWAR)

Member (J)

16.6.97



(R. RANGARAJAN)

Member (A)

Dated: 16th June, 1997.

Dictated in Open Court.

Aritho: 13/6/97
Dy. Registrar (S)

avl/