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CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI

ORIGINAL APPLICATION No. 639/2019

Date of Decision: 19th September, 2019

CORAM: Dr. BHAGWAN SAHAI, MEMBER (A)
RAVINDER KAUR, MEMBER (J)

B.M. Damodara Rao
Age: 57 Years
Residing at : Flat No.102, Tower 10,
Sea Breeze Towers, Sector - 16,
Nerul, Navi Mumbai - 400 706. . . . *Applicant*

(By Advocate Shri Zaman Ali)

VERSUS

1. Housing & Urban Development Corporation Ltd., through its Board of Directors and having its Office at : HUDCO Bhawan, Core-7-a India Habitat Centre, Lodhi Road, New Delhi - 110 003.
2. Chairman and Managing Director, Housing & Urban Development Corporation Ltd., And having its office at: HUDCO Bhawan, Core-7-a India Habitat Centre Lodhi Road, New Delhi - 110 003.
3. Union of India, through Secretary, Ministry of Housing & Urban Affairs, Nirman Bhavan, Mavlana Azad Road, New Delhi - 110 011 . . . *Respondents*

ORDER (ORAL)
Per: Ravinder Kaur, Member (J)

Heard learned counsel for the applicant for sometime on the point of Admission.

2. The applicant has claimed the following reliefs under Section 19 of the Administrative Tribunals Act, 1985:-

“8(a) That this Hon'ble Tribunal be pleased to quash and set aside final orders dated 03.01.2019 & 24.10.2017 issued by respondent Nos. 1 & 2 respectively as arbitrary and illegal;

8(b) That this Hon'ble Tribunal be pleased to declare that the applicant shall be deemed to have resigned from service of respondent Corporation with effect from 25.05.2008;

8(c) That this Hon'ble Tribunal be pleased to direct respondents to issue a letter of relieving with effect from 25.05.2008 in terms of the prayer above;

8(d) That this Hon'ble Tribunal be pleased to direct respondents to issue No-Dues certificate in respect of all loans and advances availed by the applicant;

8(e) That this Hon'ble Tribunal be pleased to direct respondents to pay and settle all dues of the applicant as provided for herein; including all dues pertaining to Provident Fund accrued and Gratuity computed upto the date of relieving from the service to the applicant with interest on salary arrears, provident fund and gratuity at the rate of (10%) under the Payment of Gratuity Act, 1972 read with the Rules/Schemes framed thereunder or under the Rules framed by Respondent No.1, whichever is more favourable to the applicant; and on the applicant; and on the excess amount paid by the applicant.

8(f) That this Hon'ble Tribunal be pleased to pass any such other orders as it deems fit and proper in facts and circumstances in the present case.

3. It is observed that the relief claimed in prayer clause 8(a) and the reliefs claimed vide prayer clause 8(b) and 8(c) are entirely different and have no bearing upon each other. The applicant cannot claim multiple relief in the same OA in terms of Rule 10 CAT (Procedure) Rules, 1987. Consequently, the applicant ought have

filed two separate OAs claiming these reliefs subject to the statutory period of limitation.

4. Learned counsel for the applicant has requested that he may be permitted to withdraw the OA with liberty to file separate OAs. Permission is granted.

5. The Original Application is dismissed as withdrawn with liberty as prayed above. No order as to costs.

(Ravinder Kaur)
Member (J)

(Dr. Bhagwan Sahai)
Member (A)

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JD
23/3/19

