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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

1) O.A. NO. 654/94

2) O.A. NO. 656/94

New Delhi this the 6th day of May, 1994

COMRA :

THE HON'BLE MR. J. P. SHARMA, MEMBER (J)

THE HON'BLE MR. S. R. ADIGE, MEMBER (A)

O.A. NO. 654/94 & 656/94

Y. D. Bhatnagar (Retd. Subhead),
S/O Shri Braham Dutt,
R/O H. No. II, E-37,
Nehru Nagar, Ghaziabad-201001.
Last employed at
Divisional Accounts Officer,
Northern Railway,
State Entry Road,
New Delhi.

... Applicant

By Advocate Shri D. S. Mahendru for Shri J. C. Kaushik

Versus

1. Union of India through
Secretary, Ministry of
Railways, Rail Bhawan,
New Delhi.
2. General Manager,
Northern Railway,
Baroda House,
New Delhi.
3. Financial Adviser & Chief
Accounts Officer, Northern
Railway, Baroda House,
New Delhi.
4. Senior Divisional Accounts
Officer, Office of Senior
Divisional Accounts Officer,
Northern Railway,
State Entry Road,
New Delhi.

None for the Respondents

O R D E R

S. R. Adige, Member (A) :-

O.A. No. 656/94

In this application dated 17.3.94 Shri Y.D.

Bhatnagar, last employed at Divisional Accounts Office, Northern Railway, New Delhi has prayed for setting aside the impugned order dated 3.10.88 reducing his pay from ^{Rs.}2000/- to Rs.1900/- p.m. for two years w.e.f. 22.8.88. This order dated 3.10.88 was an appellate order which had been passed after considering the appeal filed by the applicant against the order of Disciplinary Authority dated 23.8.88 imposing a penalty of reduction of pay from Rs.2000/- to Rs.1600/- in the pay scale of Rs.1400-2600/- for two years without postponing future increments, applicable w.e.f. 22.8.88.

2. At the out-set we note that this application is grossly time-barred and is hit by the provisions of Section 21 of the A.T.Act.

3. Shri D.S.Mahendru, learned counsel for the applicant contended that the applicant's representation dated 16.2.93 (Annexure-A13) saved this application from being hit of limitation under Sec.21 A.T.Act. In the said representation dated 16.2.93, a reference has been made ^{to} an earlier application for restoration of the applicant's pay which he was drawing prior to the date of imposition of penalty, and a prayer was made that his pay be restored to the pay which he was drawing on 22.8.88 which was Rs.2000/- p.m. However, we note from the letter of the Divisional Accounts Office dated 24.6.93, addressed to the applicant in reply to his representation dated 16.2.93, that his case was examined by the F.A. & CAO who had observed that the applicant had sought voluntary retirement which was allowed w.e.f. 4.10.88 and he was settled accordingly, and no revision of the settlement dues was warranted and nothing further remained to be done in that case.

4. It is well settled that repeated representations do not extend the period of limitation of an application which is otherwise hit by Section 21 of the A.T. Act. Hence this application is summarily dismissed.

5. This order will also be applicable to O.A.No. 654/94 also filed by the applicant Shri Y.D. Bhatnagar on 17.3.94 in which a prayer has been made to revoke the order dated 4.10.88 recommending his compulsory retirement w.e.f. 31.8.88 and to treat the applicant in employment till the date 31.3.93 on which he would have superannuated.

6. Let a copy of this order be placed on the file of O.A.No. 654/94 also.

S.R. Adige
(S.R. ADIGE)
MEMBER(A)

J.P. Sharma
(J.P. SHARMA)
MEMBER(J)

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