

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH : NEW DELHI

O.A. No. 1610/88

New Delhi this the 4th day of November, 1993

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

THE HON'BLE MR. B.K.SINGH, MEMBER (A)

J.C. Khanna,
Son of Shri K.C. Khanna,
44, C/AD Shalimar Bagh,
New Delhi.

.... Petitioner

(By Advocate Shri S.S. Tiwari)

Versus

Union of India

1. The General Manager,
Western Railway, Churchgate,
Bombay.
2. FA & CAO, Western Railway,
Churchgate,
Bombay.
3. Dy. CAO (TA), Western Railway,
Ajmer (Rajasthan)

(By Advocate Shri KNR Pillai, proxy)... Respondents

ORDER

Hon'ble Mr. J.P. Sharma, Member (J)

In this application under Section 19, the applicant has prayed for the grant of the fixation of pay and payment of arrears of salary with effect from 1956 and also assailed the order dated 19.1.1988 passed by Deputy CAO (T), Western Railway, Ajmer. The Impugned Order is rejection of the representation that the judgment given in the case of CAT, Jodhpur Bench in RA 1323/86 decided on 24.8.1987, cannot be applied to his case.


Since this is an old case we have gone through the pleadings
For the respondents, ^{Proxy Counsel for} Shri K.N.R. Pillai appeared ~~as his proxy~~
counsel. B

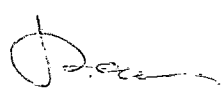
The grievance of the applicant is that he was transferred from Divisional office, Ajmer to the office of Deputy CAO (T) Ajmer by the Office Order dated 14.12.1956. Thereafter he was

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asked to go back to DS office or to accept the bottom seniority as applicable to those who are transferred in their own interest. The respondents contested the application and along with the reply filed an application by the applicant dated 21.1.1957 that he desired to remain in the accounts office ^{losing} ~~losing~~ his earlier seniority. The same request was again given in writing on 23.3.1957.

This is an ~~old~~ ^{old} ~~seniority~~ ^{seniority} ~~high~~ which cannot now be revised. The applicant has come to the Tribunal two years after his retirement and filled the application on 22.8.1988. The claim if any is hopelessly stale and barred by limitation. Though the respondents have denied ~~regarding~~ the grant of any relief to the applicant on merits also. He was also informed in 1973 vide Annexure III annexed with the reply. The application is devoid of merit and ^{is} dismissed.


(B.K. Singh)
Member (A)


(J.P. Singh)
Member (J)

Mittal