



**Central Administrative Tribunal
Principal Bench, New Delhi**

O.A. No.1030/2020

This the 18thday of September, 2020

(Through Video Conferencing)

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. Mohd. Jamshed, Member (A)**

Ms. Manjusha Bhatnagar
D/o Late Shri C.P. Saxena
R/o B-1104, Park View City 1
Sector 48, Sohana Road
Gurugram-122018.Applicant

(By Advocate: Shri Vishwendra Verma)

VERSUS

1. Union of India through Secretary
Ministry of Petroleum & Natural Gas
Shastri Bhawan
New Delhi.
2. The Secretary
Ministry of Personal Grievances
(Department of Personal and Training)
ACC Secretariat, North Block
New Delhi.
3. The Secretary
Public Enterprises & Selection Board
Department of Personal and Training
Block No.14, CGO Complex
Lodhi Road, New Delhi-110003.
4. Mangalore Refinery and Petrochemicals Ltd.
Registered Office, Kuthethoor
P.O. Via Katipalla
Mangalore-575030.
5. Balmer Lawrie & Company Limited
Through its Secretary
Office at:21, Netaji Subhas Road
Kolkata-700001.



...Respondents

(By Advocate: Shri Manjeet Singh Reen for respondent Nos. 1 to 3, - None for respondent Nos. 4 & 5)

ORDER (Oral)

Justice L. Narasimha Reddy:

The applicant joined the service of the Mangalore Refinery and Petrochemicals Ltd. (4th respondents) in the year 2008. Earlier, she was in a Public Sector Undertaking. In the context of fixation of her salary, pay protection, and in particular the sanction of advance increments, she made repeated representations. On a consideration of the same, the respondents addressed a letter dated 25.11.2010 mentioning as to how her claim cannot be accepted. Not satisfied with the same, the applicant preferred an appeal to the Chairman of Corporation. That was rejected on 16.03.2015.

2. The applicant contends that she went on making representations to the Corporation as well as to the Ministry and except stating that the same is under consideration, they did not decide it at all. With this background, she filed this OA with a prayer; (a) to direct the respondents to re-fix her basic pay in accordance with the guidelines issued on 05.01.1994 by the Govt. of India; Ministry of Personnel and Public Grievances and Pensioners Department (b) to grant 5 advance increments as per offer of appointment; (c) to grant the annual increment due on 01.01.2008; and (d) to protect the basic pay, stagnation relief, personal pay and her pay vis-à-vis of those General Managers



who are junior to the applicant. She retired from service in the year 2018.

3. The OA was listed for admission on 19.08.2020. After hearing the learned counsel for the applicant at length and on perusal of the record, we found that the claim made by the applicant was rejected through order 15.03.2015 and that no application has been filed for condonation of delay. The OA was adjourned to this date. Except filing the additional affidavit, the applicant did not take any further steps.

4. We heard Shri Vishwendra Verma learned counsel for applicant and Shri Manjeet Singh Reen, learned counsel for respondents No.1, 2 and 3. There is no representation on behalf of respondent Nos. 4 and 5.

5. Even from a perusal of the additional affidavit filed by the applicant, it is evident that she made repeated representations for protection of her pay and for sanction of advance increments. That was rejected through an order dated 25.11.2010 by the Managing Director of the Company. The applicant did not take any steps to challenge the same. In the year 2011 and 2012, she submitted appeals to the Chairman of the MRPL as well as ONGC. That was rejected on 16.03.2015. At least, at that stage, she ought to have approached the Tribunal. She did not do so and went on addressing letters. The respondents acknowledged the same gave the casual reply. Once the respondents have taken steps at their end in the years 2010



and 2015, one cannot expect any further communication or determination from their side. The O.A. is clearly barred by limitation and latches and it is accordingly dismissed. There shall be no order as to costs.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

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