

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

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O.A.717/86

N. Deenadayalu . . . . . Applicant

Vs.

The Secretary, Ministry  
of Defence . . . . . Respondent

ORDER :

This is a matter fixed for admission to-day. We have heard Mrs. Sarla Chandra, counsel for the applicants. We find that the matter does not deserve to be admitted. The applicant, who was an UDC till 1956, was reverted as LDC with effect from 16.9.56 after serving as UDC for 12 years. Applicant has challenged the reversion. The applicant has made grievances about it to the concerned authorities and the claim of the applicant has been rejected. Other grievances of the applicant is that his pay under the Third Pay Commission was not properly fixed after taking into account the benefits of the Second Pay Commission in 1975. It appears that the applicant has also taken the matter to the higher authorities without any success. The question is as to whether this Tribunal have jurisdiction to entertain the matter of cause of action in which arisen more than three years before the establishment of the Tribunal. This is not permissible under the Act. To get over this difficulty,

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the applicant relied upon a communication dated 4.9.1985 (Annexure 'G' to the petition). We are afraid that communication will not be of any use. It may be noted that the Director General of Ordnance Service has informed the applicant that since no new point has been brought out, no further action is called for. The reply indicates that it is a formal reply given to representation on matter which has already been decided three years prior to 1.11.82. Such a reply will not enable the applicant to file an application that the cause of action has arisen subsequent to 1.11.1952. In these circumstances, the application is summarily rejected.

*B. C. Mathur*  
(B. C. MATHUR)

VICE-CHAIRMAN

1.10.86

*B. C. Gadgil*  
(B. C. GADGIL)

VICE-CHAIRMAN (JUDICIAL)

1.10.86