

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

OA No. 2430/92

New Delhi this the 17th day of August, 1998.

Hon'ble Smt. Lakshmi Swaminathan, Member (J)
Hon'ble Shri K. Muthukumar, Member (A)

1. Shri T.N. Malhotra,
S/O Sh. Kedar Nath Malhotra,
R/O ESD/GDS-AIR, New Delhi.
2. Sh. R. P. Sidhar,
S/O Shri Nathu Ram Sharma,
R/O ESD/GDS-AIR, New Delhi.
3. Smt. O. K. Malik,
W/o Sh. Harish Malik,
R/O ESD/GDS-AIR, New Delhi.
4. Smt. Amrit Kaur,
W/o Shri Harpal Singh,
R/O ESD/Urdu Service-AIR,
New Delhi.

.. Applicants

(None for the applicants)

Versus

1. Director General,
All India Radio,
Akashvani Bhawan, New Delhi.
2. Director General,
Delhi Doordarshan,
Mandi House, New Delhi.

.. Respondents

(None for the respondents)

ORDER (ORAL)

(Hon'ble Smt. Lakshmi Swaminathan, Member (J))

This is a 1992 case and has appeared at Serial No. 10 of today's Cause List. None has appeared for the applicant or for the respondents even on the second call, though we have waited till 3.00PM. In the circumstances, we have perused the pleadings and documents on record and proceed to pass the order.

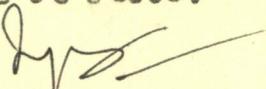
2. The main relief claimed by the applicants is for a direction to the respondents to fix their pay at par with their juniors and contemporaries in the same field w.e.f. 1977 and to pay them arrears with interest at the rate of 18% per annum.

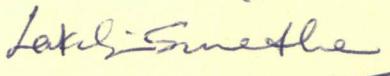
3. In the reply filed by the respondents they have submitted that not only the pleas made by the applicants are

misleading but there has not been violation of any rules and conditions. They have also submitted that the applicants have been given senior scale w.e.f. 5.1.77 on very sympathetic grounds, cutting short the concommittant procedural delays, and arrears have been given w.e.f. 16.1.1985 retaining seniority and pay status of the applicants notionally for all practical purposes viz. their promotion to the next higher grade etc. This DA has been filed on 14.9.92.

4. In the facts and circumstances of the case application is not only barred by limitation but also barred by jurisdiction under Sections 20 and 21 of the Administrative Tribunals Act, 1985, as the applicants have claimed reliefs ^{from 13} as far back as from 1977. We also find no justification in allowing arrears of salary as prayed for as they have already received them according to the respondents w.e.f. 16.1.1985.

5. In the above facts and circumstances, we see no merit in this application, and it is accordingly dismissed. No order as to costs.


(K. Muthukumar)
Member (A)


(Smt. Lakshmi Swaminathan)
Member (J)

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