

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

Original Application No.153 of 2004.

Wednesday, this the 10th day of March, 2004

Hon'ble Maj. Gen. K.K.Srivastava, A.M.
Hon'ble Mr. A.K. Bhatnagar, J.M.

C.P. Srivastava,
S/o Sri Dwarika Prasad,
R/o H. No.133, Mohd. Krishna Nagar,
Chamkani, Shahjahanpur.

.... Applicant.

(By Advocate : Shri D.K. Srivastava)

Versus

1. Union of India,
through Secretary,
Ministry of Defence,
Production, New Delhi.
2. The General Manager,
Ordnance Clothing Factory,
Shahjahanpur.

... Respondents.

(By Advocate : Shri N.C. Nishad)

ORDER

By Hon'ble Maj. Gen. K.K.Srivastava, A.M. :

In this OA, filed under Section 19 of A.T. Act, 1985,
the applicant has prayed for following reliefs :-

- "(i) his pay may correctly be fixed in the Vth C.P.C. scale starting from the initial fixation in 1980 according to rules, equity and justice.
- (ii) and in case it is revised from any stage, arrears due to him may also be ordered to be paid and pension and pensionary benefits as may be available may also be allowed.
- (iii) To award cost of the application to the applicant from the respondents."

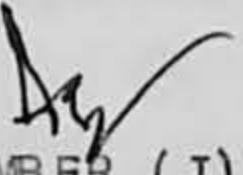
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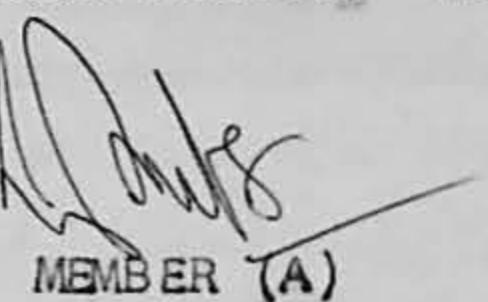
2. The facts, in short, as per the applicant, are that during 1964 he was appointed in the Welfare Canteen Shahjahanpur. By order dated 1.12.1997, the applicant was promoted from Assistant Supervisor Grade-II to Assistant Supervisor Grade-I. The applicant retired on 31.7.1999.

3. We have heard counsel for the respondents and perused the records.

4. Admittedly, the applicant retired on 31.7.1999. In the relief clause, the applicant has prayed for fixation of his pay in 1980 and thereafter fixation of pay as per Vth Central Pay Commission recommendation. The applicant has been sleeping over his right ^{hijama} ~~for~~ for more than 18 years i.e. from 1980 to 31.7.1999, the date on which he retired. The OA is grossly time barred under Section 21 of A.T. Act, 1985 and is liable to be dismissed.

5. In view of the above, we dismiss the OA at the admission stage itself being grossly time barred. No costs.


MEMBER (J)


MEMBER (A)

RKM/