

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

O.A. No. 317 of 2004

Dated : This the 31st day of March, 2004

HON'BLE MRS. MEERA CHHIBBER, MEMBER (J)

Badri Prasad S/o Mohan, aged about 71 years,
R/o Vill - Autar Pur, P.O. Burhepur, Teh. - Kunda
District - Pratapgarh.

.....Applicant.

By Advocate :- Shri Ramesh Kumar

VERSUS

1. Union of India through its General Manager,
Northern Central Railway, Allahabad.
2. Divisional Railway Manager, N.C.R., Allahabad.
3. Snr. Divisional Provincial Officer, N.C.R., Allahabad.
4. Senior Section Engineer Prabhari, N.C.R., Allahabad.

....Respondents.

By Advocate :- Shri A.K. Gaur.

O R D E R

By Hon'ble Mrs. Meera Chhibber, JM

By this O.A. applicant has sought a direction to the respondents to provide pension at the rate of Rs.1011/- per month, pay scale and bonus, salary of July, 1990 to him further direction to pay the arrears of pension amount due to the applicant alongwith the interest

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at the rate of 18% per annum from 31.7.1990 to till now.

2. It is submitted by the applicant that he reitred on superannuationw.e.f.31.7.1990 when he was drawing the pay of Rs.1011/- but yet his pension was fixed at Rs.458/-. Being aggrieved he gave representation but same was not decided, therefore, he is forced to file the present O.A.

3. I have heard applicant's counsel and perused the pleadings as well. Perusal of page 14, which is alleged to be representation, shows that it is absolutely vague as no details are given as to what wrong was committed by fixing his pension and even this representation was dated 21.3.1997 whereas he had already reitred in July 1990 i.e. after about six and half years. After giving this representation also applicant did not pursue the matter any further and has filed the present O.A. only on 15.3.04. It goes without saying that this O.A. is hopelessly barred by limitation as period of limitation laid down under section 21 of the Administrative Tribunals Act 1985 is one year from the date of cause of action. Moreover applicant has not even filed any application seeking condonation of delay. In the case of R.C.Sharma etc. v. Udhamp Singh Kamal and Others reported in 2000 vol.2 AISLJ Supreme Court pg. 89 Hon'ble Supreme Court has held that Tribunal cannot even look into a case which is barred by limitation and cannot condone the delay unless specifically prayed for.

4. In view of the above judgment this case is fully covered by the judgment as referred above. The O.A. is accordingly dismissed at the admission stage itself with no order as to costs.



Member (J)

Brijesh/-