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Court No.1

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD

Registration O.A. No. 959 of 1987

Binda Prasad Sharma .... Applicant

Versus

Union of India & Another .... Respondents.

Hon.K.S.Puttaswamy, V.C.

Hon. Ajay Johri, A.M.

(By Hon.K.S.Puttaswamy, V.C.)

This is an application made by the applicant under Section 19 of the Administrative Tribunals Act, 1985 (Act).

2. The applicant, who started his career as a Khallasi in the Indian Railways, was working as a Fitter during the year 1979-80. He has retired from service on 1.10.1980. He claims that an increment legitimately due to him in the year 1979-80 was not granted to him and the respondents should be directed to extend the same to him. This application has been filed before this Tribunal on 14.10.1987.

3. Shri S.K.Srivastava, learned counsel for the applicant contends that the just claim of the applicant had been unreasonably refused very recently by the Pension Adalat of the Railways on 15.10.1986 and this application made within one year from that date was in

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time and the respondents should therefore be directed to extend the benefit <sup>of</sup> increment illegally withheld for the year 1979-80.

4. Without any doubt the claim made by the applicant relates to a period for 1979-80 or prior to 1.11.1982. The Act does not confer jurisdiction on this Tribunal to decide claims that arose prior to 1.11.1982 vide A.T.R. 1986 C.A.T. 203 V.K.Mehta Versus The Secretary, Ministry of Information and Broadcasting, New Delhi. On the ratio of the ruling in Mehta's case this application cannot be entertained by us.

5. When we find that the application cannot be entertained by us, the question of examining the merits of the claim does not arise. We, therefore, reject the application at the admission stage without notices to the respondents.

*Mr. Pramod*  
Vice Chairman *12/13/87*

*SP*  
Member (A)

Dated the 12th Nov., 1987

PG/RKM