

(13) OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH

ALLAHABAD.

Dated : This the 15th day of April 2002.

Original Applicationno. 867 of 1994.

Hon'ble Mr. Justice R.R.K. Trivedi, Vice-Chairman
Hon'ble Maj Gen K.K. Srivastava, Member (A).

S.P. Srivastava, S/o Sri R.G. Srivastava,
Retired DTTI, Gwalior Central Railway,
R/o 675, Maseehaganj Sipri Bazar, Jhansi, (UP).

.... Applicant

By Adv : Sri SK Tyagi

Versus

1. Union of India through the General Manager Central Railway, General Manager's Office Bombay, VT.
2. Divisional Railway Manager, Divisional Railway Manager's Office Jhansi, Central Railway.
3. Senior Divisional Operating Manager, Divisional Railway, Manager's Office, Jhansi.

... Respondents

By Adv : Sri K.P. Singh

O R D E R

Hon'ble Mr. Justice RRK Trivedi, VC.

By this OA filed under section 19 of AT Act, 1985, the applicant has prayed for a direction to make all the payments due to the applicant on account of arrears of wages from 1.8.1982 to Feb. 1989, difference of amount in Bonus, Night Duty Allowance, Leave Salary & Travelling Allowances. The applicant has also prayed that he may be given proforma fixation in grade Rs. 1600-2660 (RPS) w.e.f. 1.8.1990 and in the grade of Rs. 2000-3200 (RPS) 1.8.1992 and make payments of all the arrears

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due and Refix applicant's pensionary benefits on increased emoluments. The applicant has also prayed to release the amount of Rs. 20,000/- withheld as Future Debit.

2. Resisting the claim of the applicant, respondents have filed counter affidavit. In para 14 of the counter affidavit it has been stated that as directed by this Tribunal the disciplinary proceedings against the applicant ^{the respondents} have been completed and have also given all consequential benefits to the applicant and no relief is due. It has also been stated that the amount of future debit ^{was} withheld only on account of pendency of disciplinary proceedings and as the proceedings ^{have been} concluded the amount might have been paid. For the rest of the claims, ^a ^{narrow} ^{amount} ^{on account} of arrears of wages from 1.10.1982 to Feb 89 this OA is highly time barred which was filed on 20.5.1994. The OA is also time barred in respect of the relief for notional benefits of 1990.

3. In the circumstances, we do not find the applicant entitled for relief. The OA is dismissed accordingly.

4. There shall be no order as to costs.


Member (A)


Vice-Chairman

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