

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD.

Original Application No.779 of 1999.

Allahabad this the 19th day of November 2003.

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

Jai Prakash Verma
son of late Bankey Lal Verma,
resident of House No.22 Shivpuri Colony,
Nainital Road, Izatnagar, District Bareilly.

.....Petitioner.

(By Advocate : Sri A.S. Diwekar)

Versus.

1. Union of India
through General Manager
North Eastern Railway,
Gorakhpur.
2. Divisional Railway Manager (P)
North Eastern Railway,
Izatnagar, Bareilly.

.....Respondents.

(By Advocate : Sri S.K. Anwar)

O_R_D_E_R

(Hon'ble Maj Gen K.K. Srivastava, A.M)

In this O.A., filed under section 19 of Administrative Tribunals Act 1985, the applicant has prayed for direction to respondents to grant salary and annual increments taking the applicant to be in service from 17.06.1957 and pay the difference to the applicant.

2. The applicant was selected by Railway Service Commission for the post of A-2 Signaller in the respondent's establishment and was put on training in the Railway Staff Training School on 14.05.1956. After passing the examination of Telegraphy the applicant was posted at Gonda where he joined on 15.06.1956. The applicant

superannuated on 31.12.1992.

3. The applicant is aggrieved by the action of the respondents not treating the period of service from 17.06.1957 on regular basis and paying stipend only, hence the applicant filed this O.A.

4. Sri A.S.Diwakar learned counsel for the applicant submitted that respondents first issued the P.P.O (Annexure 6) in which the date of entry into the Government service has been shown as 27.01.1962. Admittedly the applicant was selected in the year 1956 and learned counsel for the applicant submitted that the applicant cannot be treated as trainee for such a long period. Respondents corrected the P.P.O and revised P.P.O was issued in which the date of entry into the Government service has been correctly shown as 17.06.1957. The applicant is suffering on account of mistake on the part of respondents for no fault of his.

5. Sri S.K.Anwar learned counsel for the respondents opposing the claim of the applicant submitted that case is highly time barred under section 21 of A.T. Act and respondents have treated the period of service from 17.06.1957 by issuing the revised P.P.O.

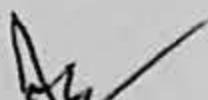
6. We have heard counsel for the parties, considered their submissions and perused the records.

7. Admittedly the applicant was selected in 1956. It is also not disputed that he retired on 31.12.1992. Now the applicant has claimed the relief for the payment of salary from 17.06.1957. In fact the applicant during his entire service must have seen his seniority list as well as service book which an employee ^{with} _{expected} ^{to} _{get} ... The applicant has not been able to give the date of

revised P.P.O filed as Annexure 7, besides no delay condonation application has been moved alongwith this O.A. The applicant should have got the issue settled during his service period rather than waiting for his superannuation and then raise the issue on receipt of P.P.O. We are of the view that the O.A. is grossly time barred and is liable to be dismissed on the ground of limitation under section 21 of A.I. Act 1985.

8. In the facts and circumstances, the O.A. is dismissed as grossly time barred.

No order as to costs.


Member-J


Member-A.

Manish/-