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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

AHMEDABAD BENCH

O.A. No. /160/1992

TAX NO:

DATE OF DECISION 24th August, 1992

Shri Popatlal L. Jani **Petitioner**

Mr. A. G. Vyas **Advocate for the Petitioner(s)**

Versus

The Union of India & others. **Respondent**

Mr. Akil Kureshi **Advocate for the Respondent(s)**

CORAM :

The Hon'ble Mr. N. V. Krishnan : Vice Chairman.

The Hon'ble Mr.

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgement ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?

1. Popatlal L. Jani.
E/10, Vidyanagar Society,
délvada Road,
Una (Sorath),
Dist : JUNAGADH. Applicant.

(Advocate : Mr. A. G. Vyas)

VERSUS

1. The Union of India,
Through the Director General
Post Offices & Chairman of the
Postal Board,
NEW DELHI.

2. The Post Master,
General, Gujarat Circle,
Ashram Road,
AHMEDABAD.

3. The Director of Postal Services,
Rajkot Region,
RAJKOT.

4. The Supdt. of Post Offices,
Junagadh Division,
JUNAGADH. Respondents.

(Advocate : Mr. Akil Kureshi)

O R A L O R D E R

O.A. NO : 160 OF 1992

Date : 24/08/1992.

Per : Hon'ble Mr. N. V. Krishnan : Vice Chairman.

This matter was before one of us (Hon'ble Member (J)) on 29th June, 1992 when the learned counsel for the parties were present. The matter was listed for reply of the respondents on 15/07/92 when it would appear, the applicant was neither present nor represented. It was adjourned to 10/08/1992 to enable the respondents to file

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reply. On that date also none was present for the applicant, though the case was called twice. Mr. Akil kureshi, learned counsel for the respondents who was present urged that considering the facts of the case as presented in the application, this application has to be dismissed as being hopelessly barred by limitation.

2. The case was taken up today. Neither the applicant nor his counsel is present. The learned counsel for the respondents draws our attention to the prayer which seeks a direction to the respondents to remove the anomaly in the fixation of the applicant's pay in revised scale of Rs.260 - 480 by stepping up his pay from Rs.372 to Rs.384 from 01/10/73, with reference to the pay of his junior Mr. P. R. Tanna. This relief is claimed under the CCS Revision of Pay Rule 1973 read with the various instructions of Goverment, the last of which is dated 07/01/77. The applicant also seeks a direction to the respondents to dispose of the Annexure A appeal dated 02/10/86. The learned counsel for the respondent submits that obviously, the cause of action arose in 1973 or at any rate, when the last of the instructions were issued on 07/01/77. The applicant should have taken necessary action well in time and resorted to legal remedies available to him. He has not even filed an application for condonation of delay.

3. We have carefully perused the record and we find considerable substance in the objections raised by the learned counsel for the respondents. We are satisfied that, prima facie, this application is barred by limitation and accordingly, we dismiss this application.

R. C. Bhatt
(R. C. BHATT)
Member (J)

N. V. Krishnan
24/10/86
(N. V. KRISHNAN)
Vice Chairman