

## NOTES OF THE REGISTRY

## ORDERS OF THE TRIBUNAL

Common Ad. for  
R. 2 a 3 back a  
Kept in OA 161/04.  
Ad. for R. 4 also  
back

App. Memo/counter  
not filed.

12/10  
Regd

Order. dt. 17-09-04

Applicant is  
absent on call.

Mr. R.C. Rath, Ld.  
standing Counsel for  
the Railways prays  
for 2 weeks time  
to obtain instructions  
from the department.  
Heard. Call on 04.10.04  
for appearance and  
writing of counter.

Done  
17/9/04  
REGISTRAR

App. Memo/counter  
not filed.

Order. dt. 04.10.04  
Ld. Sr. Counsel for the  
Railways prays for another 3  
weeks time to obtain  
instruction in the matter.  
Prayer is allowed. Call  
on 18.10.04 for appearance  
and writing of counter.

Order dated : 21.9.05

None appears for the applicant nor the  
applicant is present in person. However, Mr.  
T. Rath, Ld. Counsel for the Respondents is  
present and heard.

Mr. Rath brought to our notice that the  
issue raised by the applicant in this O.A. has  
already been answered by us in O.A. No. 348/04.  
dated 30.6.05. He has, therefore, said that the  
ratio of the decision in the O.A. No. 348/04  
squarely applies to the facts of this case.

On the perusal of the records, we find  
that the applicant in this O.A. has prayed for  
the direction to be issued to the Respondents  
to ante-date his regularization to 15.1.73  
and to grant him consequential benefits  
including revision of pension and other benefits.

On perusal of the facts in O.A. No. 348/04,  
we find that in that application, the applicant  
had come before this Tribunal with identical  
prayer. As we have already held that the ante-  
dating and regularization after long delay is  
not tenable and that the prayer for revision  
of pension taking cent-per cent casual service  
into account is not maintainable, this O.A.  
deserves to be dismissed.

Accordingly, this O.A. is disposed of.  
No costs.

Member (Judicial)

Vice-Chairman

Done  
11/10/04