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O.A.NO.541 OF 2007
Premananda Das... Applicant
-Versus-
Union of India & Ors. Respondents

ORDER DATED 28.8.2009

CORAM:

THE HON'BLE SHRI C.R.MOHAPATRA, ADMINISTRATIVE MEMBER

ORDER
(ORAL)

SHRI C.R.MOHAPATRA, ADMINISTRATIVE MEMBER:

In this Original Application, the applicant, at present working as G.D.S.MD, Betaligaon Branch Post Office has sought for the following relief.

- i) To quash the order dated 4.2.2003 under Annexure-A/2
- ii) To direct the Respondents to pay the applicant extra remuneration for the discharge of dual duties retrospectively with interest.

2. The grievance of the applicant rests upon Annexure-A/1 dated 18.11.2002 wherein he has been directed to manage the work of GDS MC, Betaligaon Branch, in addition to his own work as GDS MD. It is in this background, the representation preferred by the applicant claiming extra remuneration having been rejected vide order dated 4.2.2003 under Annexure-A/2, the present O.A. has been filed with the prayers referred to above.

3. Respondent-Department have filed their counter opposing the prayer of the applicant. They have stated that there is provision for extra allowance for discharging duties on combination in limited case and that too when there is excess workload for than five hours. They have further stated that extra allowance is not admissible if the work of the GDS Mail Deliverer and GDS Mail Carrier are combined together and that there is no such provision in that behalf particularly when the workload remains within five hours. The above statement made in the counter has not been refuted by the applicant by filing any rejoinder. Besides, the impugned order at Annexure-A/2 having been issued on 4.2.2003, the applicant should have approached this Tribunal within one year therefrom, i.e., by 3.2.2004. But this O.A. has been filed more than four years after the cause of action arose and therefore, the same is grossly barred by limitation.

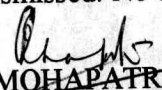
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4. For the reasons discussed above, the present O.A. besides being grossly barred by limitation, ~~is~~ sans merit and accordingly, the same is dismissed. No costs.


(C.R. MOHAPATRA)
ADMINISTRATIVE MEMBER

