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**CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH, CUTTACK,**

**ORDER SHEET**

COURT NO. : 1

31.10.2017

O.A./260/998/2016

M.A./260/92/2017

FOR AMENDMENT, ON MEMO

ITEM NO:2

FOR APPLICANTS(S) Adv. :

S C LENKA

-V/S-

M/O RAILWAYS

FOR APPLICANTS(S) Adv. : Mr. B.R. Barik

FOR RESPONDENTS(S) Adv.: Mr. T. Rath

| Notes of The Registry | Order of The Tribunal   |
|-----------------------|---|
|                       | <p>Heard Mr. B.R. Barik, Ld. Counsel appearing for the applicant and Mr. T. Rath, Ld. Standing counsel appearing for the Railways.</p> <p>The applicant has filed this Application seeking the following relief(s) as enumerated in Para 8(ii) of the O.A.</p> <p><i>"Direct the respondents to consider for promotion retrospectively to the post of Grade-I w.e.f. 24.02.2010 instead of 03.07.2012 and to release the differential arrear salary in Grade-III w.e.f. October, 1997 till 31.10.2003, Grade-II scale from 01.11.2003 to 23.02.2010 and Grade-I from 24.02.2010 to till date within a time to be stipulated by this Hon'ble Tribunal".</i></p> <p>On perusal of the record, it is seen that the applicant is asking for retrospective promotion w.e.f. 24.02.2010 instead of 03.07.2012 but the present O. A is filed only on 28.12.2016 i.e. after considerable delay. That apart the applicant has been given promotion vide order dated 01.10.2012 w.e.f. 03.07.2012. If the applicant was really aggrieved by the said order he should have challenged the same in 2012 itself.</p> <p>That apart the applicant is claiming financial benefits from October, 1997 which is hopelessly barred by limitation.</p> <p>Since financial arrear from 1997 and promotion from 2010 can not be granted at this distance of time, having become stale claim the O. A is not admitted and is rejected being barred by limitation.</p> <p style="text-align: right;"><i>[Signature]</i></p> <p>(DR. MRUTYUNJAY SARANGI)<br/>MEMBER (A)</p> <p style="text-align: right;"><i>[Signature]</i></p> <p>( SUSHANTA KUMAR PATTNAIK)<br/>MEMBER (J)</p> |