

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

ORDER SHEET

COURT NO. : 1

06.12.2017

O.A./260/91/2016
ON MEMO

B LAXMI NARAYAN

-V/S-

M/O RAILWAYS


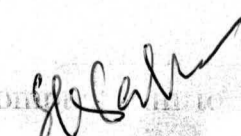
ITEM NO:2

FOR APPLICANTS(S) Adv. :

Mr. P. K. Nayak

FOR RESPONDENTS(S) Adv.:

Mr. T. Rath

Notes of The Registry	Order of The Tribunal
	<p>Heard Mr. P.K.Nayak, Ld. Counsel for the applicant, and Mr. T.Rath, Ld. Standing Counsel for the Railways.</p> <p>The applicant has filed this O.A. for a direction to the Respondents to confirm the applicant in the post of TCI (Special) and to give him financial benefits attached to that post.</p> <p>There is no impugned order in this case. As per Section 20 of the Administrative Tribunals Act, Tribunal shall not ordinarily admit an application in respect of persons who has not exhausted the departmental remedies.</p> <p>The applicant had earlier approached this Tribunal in O.A. No. 444/2004 wherein this Tribunal had given direction to give legitimate service benefit to the applicant. If the applicant was still aggrieved, he should have approached this Tribunal in 2005-06 since the O.A.Nos. 443/2004 and 444/2004 were disposed of by common order dated 17.11.2005 wherein there was categorical direction for giving notional promotion to the applicant in the TCI Grade-I and Respondents were directed to refix his pension with consequential financial benefits on retirement.</p> <p>The applicant is signally silent on the point when the alleged cause of action took place which prompted him to file this O.A. From the pleadings, it is seen that the grievance of the applicant is more than a decade old and such matter cannot be adjudicated at this distance of time. Hence, the O.A. is not admitted.</p> <p>If the applicant has any grievance, he should make representation to the department and he cannot be permitted to approach this Tribunal directly without exhausting departmental remedy.</p> <div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="text-align: center;">  (DR. MRUTYUNJAY SARANGI) MEMBER (A) </div> <div style="text-align: center;">  (SUSHSANTA KUMAR PATTNAIK) MEMBER (J) </div> </div> <p style="text-align: left; margin-top: 10px;">RK</p>