

DJS

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH : JODHPUR
Date of Order : 08.11.2001

O.A No. 268/2001

with

M.A. No. 171/2001

Govinda S/o Shri Hardayal Jat retired Pointsman 'A' Northern Railway Bikaner Division R/o Near Railway Station Gogameri District Hanumangarh Jn.

... APPLICANT.

v e r s u s

1. Union of India through General Manager, Northern Railway, Headquarters Baroda House, New Delhi.
2. Divisional Railway Manager, Northern Railway Divisional Office, Bikaner (Rajasthan) 334001.
3. Senior Divisional Personnel Officer, Northern Railway, Divisional Office, Bikaner (Rajasthan) 334001.
4. Divisional Accounts Officer, Northern Railway, Divisional Office, Bikaner (Rajasthan) 334001.
5. Assistant Personnel Officer I Northern Railway, Bikaner (Rajasthan) 334001.

... RESPONDENTS.

Mr. Bharat Singh counsel for the applicant.

CORAM

Hon'ble Mr. Justice B.S. Raikote, Vice Chairman.
Hon'ble Mr. A. P. Nagrath, Administrative Member.

: O R D E R :
(per Hon'ble Mr. A. P. Nagrath)

The applicant had retired from service on 31.03.1993 as Pointsman 'A'. His settlement dues have been paid to him considering his basic pay as Rs. 1130/- per month. He has filed this application claiming that his basic pay should have been Rs. 1275/- per month at the time of his retirement.



2. We find that the applicant had retired in January 1993 and has chosen to file this OA in September, 2001 and that too without any supporting documents, which could provide some link to his claim i.e. pay should have been Rs. 1275/- instead of Rs. 1130/- on the date of his retirement. We find that the applicant has himself annexed the document at Annexure A-5 which is a letter dated 8.11.1995 from Senior DPO to Superintendent Bills and others. In this letter the pay of the applicant has been shown to be re-fixed from the period 2.7.91 to 31.1.1993. The applicant has also filed a copy of representation which he claims to have submitted to the respondents dated 8.6.2000 (Annexure A-2). In this representation also there is only a bland statement made by the applicant that his pay was revised from Rs. 1130/- to Rs. 1275/- in the pay scale of Rs. 950-1500 and for this assertion of his he has not provided any basis. No reference to any letter or order has been made to substantiate his claim. According to the applicant, his representation is based on orders of the Tribunal in MA No. 7/97 in OA 313/92 decided on 08.04.1994. We have perused that order. In that MA, applicant's plea was that he had not received full pensionary benefits. That MA has been dismissed.

3. We find that this is a totally ~~frivolous~~ litigation which deserves to be dismissed in limine. Applicant has totally failed to make out any case in his favour, whatsoever.

4. The applicant has also filed an MA No. 171/2001 seeking condonation of delay. For the view which we have





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taken in OA, we do not find any ground for condoning delay.
This MA is, therefore, liable to be dismissed.

5. The OA and MA are both dismissed in limine.

(A.P. *Nagrath*)
Adm. Member

[Signature]
(JUSTICE B.S. RAIKOTE)
Vice Chairman

Joshi

regd. A/P copy of order
dt. 8/11/2001 (R-1 to R-5)
along with copy of OA & MA
vide 498 to 499
dt. 12/11/2001

Part II and III destroyed
in my presence on 24/5/07
under the supervision of
section officer 11 as per
order dated 13/3/07

NGK
Section officer (Record)
CP

Received copy
Michael 23/11

AD from 2 u ERs
with serial R1 83 and
W.

M
28/11/