

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

OA 304 of 1997

Present : Hon'ble Mr. Mukesh Kumar Gupta, Judicial Member

Hon'ble Mr. M.K. Mishra, Administrative Member

K. Jagga Rao

-VS-

S.E. Railway

For the Applicant : None

For the Respondents: None

Date of Order : 07-12-2004

ORDER

MR. MUKE SH KR. GUPTA, JM

None appeared for the applicant. Notice dated 25-6-2004 was issued to the applicant requiring him to engage another counsel as earlier counsel engaged by him has since expired. Neither the applicant nor his counsel appeared even on 6-9-2004. To-day also none appeared.

2. In this case the applicant seeks regularisation to the post of PCR Works Supervisor w.e.f. 1-4-1973 and consequently grant of pay scale. In view of the fact that the Administrative Tribunal Act, 1985, particularly the Section 21(2)(a) provides that the grievance in respect of which an application is filed and cause of action arose prior to three years immediately preceding the date on which the Tribunal was constituted is beyond the purview of this Tribunal. On the face of it since the applicant seeks the relief from the year

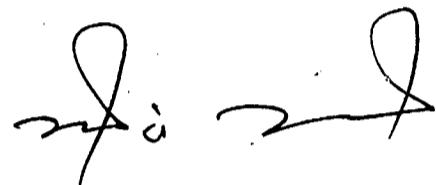
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1973 and the Tribunal was constituted w.e.f. 1-11-1985 and the cause of action arose much prior to 1-11-1982, which is the cut-off day so notified under the aforesaid provision, the present application is not maintainable and this Tribunal has no competence as well as jurisdiction to go into this aspect.

Accordingly, the O.A. is dismissed. No costs.



Member (A)



Member (J)

DKN