

## IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

~~NEW DELHI~~  
NEW BOMBAY BENCH

O.A. No. 711/88  
~~FA No.~~

198

DATE OF DECISION 24-10-1988

Shri Ch. Vijay Prasad Petitioner

Applicant in person Advocate for the Petitioner(s)

Versus

The Director, BARC, Bombay Respondent

Advocate for the Respondent(s)

CORAM

The Hon'ble Mr. M.B. Mujumdar, Member (J)

The Hon'ble Mr. P.S. Chaudhuri, Member (A)

1. Whether Reporters of local papers may be allowed to see the Judgement? *Yes*
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the Judgement? *No*
4. Whether it needs to be circulated to other Benches of the Tribunal?

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
NEW BOMBAY BENCH, NEW BOMBAY 400 614

OA.NO. 711/88

Shri Ch.Vijay Prasad,  
Flat No. AL6/13/11,  
Sector 5, CIDCO Colony,  
Airoli, New Bombay.

Applicant

V/S.

The Director,  
Central Complex,  
Bhabha Atomic Research Centre,  
Trombay, Bombay.

Respondent

CORAM: Hon'ble Member (J) Shri M.B.Mujumdar  
Hon'ble Member (A) Shri P.S.Chaudhuri

ORAL JUDGMENT

Dated: 24.10.1988

(PER: M.B.Mujumdar, Member (J))

Heard Shri Ch.Vijay Prasad, the applicant in person.

2. The applicant was previously working as Scientific Officer with the Respondent. On 3.10.1983, he voluntarily resigned and final settlement of salary slip dated 3.2.1984 was also issued. Now he is working as Executive Engineer in a private company.

3. By an order dated 3.2.1984 <sup>it was directed</sup> ~~an order was passed~~ ~~directing~~ that an amount of Rs.4,439.30 should be recovered from the applicant for the loss of a digital tong tester. On 28.5.1984 he made a representation requesting for waiving of recovery. But that representation was rejected on 4.6.1984. The applicant then made an appeal dated 11.6.1984 to the Director, for writing-off the cost of the digital tong tester. But that was also rejected on 15.6.1984.

4. Thereafter the applicant practically did not do anything except writing a few letters. However, on 18.6.1987 the applicant made a representation to the

Regional Labour Commissioner (Central), Bombay. But the Assistant Labour Commissioner (Central) turned down that representation by letter dated 23.6.1988 stating that BARC is not an industry within the meaning of the provision of Industrial Dispute Act.

5. The applicant has challenged the order of 3.2.1984 by which the recovery of <sup>the</sup> ~~some~~ amount was directed against him. We do not think that the application is filed within the prescribed period of limitation. We also do not find any reason to condone the delay as the applicant was previously working as Scientific Officer and is now working as an Executive Engineer in a private firm. We, therefore, reject the application summarily under Section 19 (3) of the Administrative Tribunals Act, 1985.

(M.B. MOJUMDAR)  
Member (J)

*P. S. Chaudhuri*  
(P.S. CHAUDHURI)  
Member (A)