

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH 'GULESTAN' BUILDING NO:6
PRESCOT ROAD, BOMBAY:1

Original Application No. 1121/96

19th the Thursday day of December 1996

CORAM: Hon'ble Shri B.S. Hegde, Member(J)

Vasant Ganesh Kelkar
retired Central Govt. Servant
from Met. Office, Bombay under
Regional Meteorological Centre,
Bombay residing at 468/1
Sadashiv Peth, Pune.

... Applicant.

Applicant in person.

V/s.

The Secretary, Dept. of Science
and Technology, Technology Bhavan
South Block, Mehrauli Road
New Delhi.

The Director General of Meteorology
Mausam Bhavan, Lodi Road,
New Delhi.

The Deputy Director General of
Meteorology, Regional
Meteorological Office,
Colaba, Bombay.

... Respondents.

ORDER

¶ Per Shri B.S. Hegde, Member(J) ¶

Heard Applicant in person.


In the O.A. the applicant has prayed for
a direction to the respondents to pay arrears of pay with
all due payments of fixing pay Rs. 515/- on 1.5.1978 and
arrears of pension with twenty percent per year rate of
compound interests etc.

The applicant has retired from service
with effect from 31.5.1993 and filed this O.A. on
30.10.96 after a lapse of three years seeking relief

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from 1978 onwards. Since the relief claimed is from 1978 onwards this Tribunal does not find ~~fit~~ to issue notice to the respondents and dispose of the O.A. at the admission stage itself, in view of the decision in the case of V.K. Mehra Vs. The Secretary, Min. of I & B, Delhi ATR 1986(1) CAT 203, wherein the Tribunal held that the Administrative Tribunals Act does not vest any power or authority to take cognizance of a grievance arising out of an order made prior to 1.11.82. The limited power that is vested to condone the delay in filing the application within the period prescribed is under Section 21 provided the grievance is in respect of an order made within three years of the Constitution of the Tribunal.

The applicant has drawn my attention that he made representation on 4.5.78 and 23.10.79 respectively, but the same has not been replied by the respondents. Apart from that, this matter pertains to the year 1978 i.e. prior to 1982 and keeping in view, the aforesaid decision, it is not open to the Tribunal to rake up the stale claim prior to 1982. In the result, I do not find any merit in the O.A. and the same is dismissed at the admission stage itself but no order as to costs.


(B.S. Hegde)
Member(J)