

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH  
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Commercial Complex (BDA)  
Indiranagar  
Bangalore - 560 038

Dated : **17 JUL 1988**

APPLICATION NO.

97

/ 88(F)

W.P. NO.

Applicant(s)

Shri S. Kamaluddin

To

Respondent(s)

V/s The Divisional Railway Manager, South Central  
Railway, Hubli & 3 Ors

- |   |   |
|---|---|
| <p>1. Shri S. Kamaluddin<br/>39/1, Tabeeb Land<br/>Hubli - 20<br/>Dharwad District</p> <p>2. Shri B.V. Venkoba Rao<br/>No. 331, Alur Venkata Rao Road<br/>Bangalore - 560 002</p> <p>3. The Divisional Railway Manager<br/>South Central Railway<br/>Hubli</p> <p>4. The Divisional Accounts Officer<br/>South Central Railway<br/>Secunderbad (Andhra Pradesh)</p> | <p>5. The General Manager<br/>South Central Railway<br/>Rail Nilayam<br/>Secunderabad (Andhra Pradesh)</p> <p>6. The Chairman<br/>Railway Board<br/>Rail Bhavan<br/>New Delhi - 110 001</p> <p>7. Shri K.V. Lakshmanachar<br/>Railway Advocate<br/>No. 4, 5th Block<br/>Briand Square Police Quarters<br/>Mysore Road<br/>Bangalore - 560 002</p> |
|---|---|

Subject : SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith the copy of ORDER/~~STAY~~/~~COUNTER ORDER~~  
passed by this Tribunal in the above said application(s) on 4-7-88.

Encl : As above

DEPUTY REGISTRAR  
(JUDICIAL)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH BANGALORE

DATED THIS THE 4th DAY OF JUNE 1988

Coram : Hon'ble Justice Sri K.S. Puttaswamy - Vice Chairman  
Hon'ble Shri L.H.A. Rego - Member (A)

APPLICATION No. 97/88

S. Kamaluddin  
39/1 Tahib Land  
Hubli

- Applicant

v (Shri B.V. Venkoba Rao, Special Power of Attorney Holder)

v

1. The Divisional Railway Manager  
South Central Railway  
Hubli
2. The Divisional Accounts Officer  
South Central Railway  
Secunderabad
3. The General Manager  
South Central Railway  
Secunderabad
4. Chairman  
Indian Railway Board  
Railway Board  
New Delhi

- Respondents.

(Shri K.V. Lakshmanachar, Advocate)

This application came up for hearing before this Tribunal and Hon'ble Justice Shri K.S. Puttaswamy, Vice Chairman, to day made the following

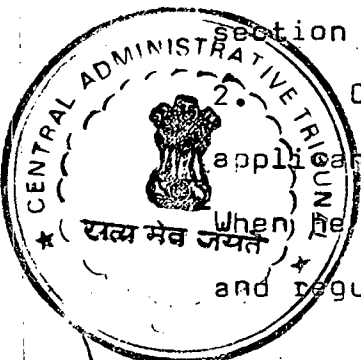
ORDER

This is an application made by the applicant under

Section 19 of the Administrative Tribunals Act, 1985 (Act).

2. On attaining the age of superannuation, the applicant has retired from service as early as 19-3-1971.

When he retired from service in accordance with the rules and regulations governing his case, the Railway Administration



had settled the commercial and other terminal benefits due to him. But notwithstanding the same, he claims a sum of Rs.3000/- due to him as on the date of his retirement towards PF dues and gratuity, had not been paid to him in this application made as late as 28-1-1988.

3. In the reply, the respondents have asserted, inter alia, that this application which seeks to adjudicate a claim that arose well before 1-11-1982 cannot be adjudicated by this Tribunal.

4. We have heard Shri B.V. Venkoba Rao, special power of attorney holder of the applicant and Shri K.V. Lakshmanachar, learned counsel for the respondents.

5. We have earlier noticed that the applicant retired from service as early as 19-3-1971 and the amounts due to him according to the Railway Administration had been all paid to him on that date or a few days thereafter. Without any doubt, every one of the claims of the applicant on the correctness of which we express no opinion arose and became final before 1-11-1982. On the ratio of the rulings of this Tribunal in V.K. MEHRA's CASE v SECRETARY I & B ATR 1986 CAT 203 and Dr. KSHEMA KAPOOR V UOI 4 ATC 329, this application which seeks to adjudicate matters which arose before 1-11-1982 cannot be entertained by this Tribunal.

On this short ground, this application is liable to be dismissed without examining all other questions. We therefore dismiss this application. But in the circumstances of the case, we direct the parties to bear their own costs.

**TRUE COPY**



sd/-  
DEPUTY REGISTRAR (JDL)  
CENTRAL ADMINISTRATIVE TRIBUNAL  
(K.S. PUTTASWAMY) 4/7/88 BANGALORE  
VICE CHAIRMAN  
sd/-  
(L.H.A. REGO) 4/7/88  
MEMBER (A)