

## IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

NEW BOMBAY BENCH  
CAMP AT NAGPURO.A. No. 635/90  
~~XXXXXXXX~~

198

DATE OF DECISION 11.1.1991N.V. Shastri

Petitioner

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Advocate for the Petitioner(s)

Versus

Union of India & Ors.

Respondent

Mr. P.S. Lambat

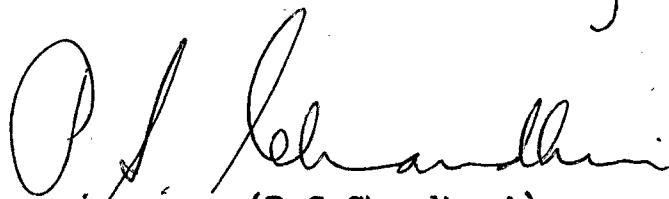
Advocate for the Respondent(s)

## CORAM

The Hon'ble Mr. D. Surya Rao, 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 ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?

  
(P.S. Chaudhuri)  
Member(A)

Y  
V  
BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
NEW BOMBAY BENCH, NEW BOMBAY  
CAMP AT NAGPUR  
\* \* \* \*

(S)

Original Application No.635/90

Narayan Vithalrao Shastri,  
Prasad Colony, Jatharpeth,  
Akola 444 005.

... Applicant

V/s

1. Union of India, Ministry of Railways, Rail Bhavan, New Delhi.
2. Divisional Railway Manager, Hyderabad (Meter Guage Divn), Secunderabad, SC Railway. ... Respondents.

CORAM : Hon'ble Member (J), Shri D.Surya Rao.  
Hon'ble Member (A), Shri P.S.Chaudhuri.

Appearances:

Applicant in person and Mr. P.S.Lambat, Advocate, for the respondents.

ORAL JUDGEMENT:

Dated : 11.1.1991.

(Per. P.S.Chaudhuri, Member (A))

This application under Section 19 of the Central Administrative Tribunals Act, 1985 was filed on 27.8.1990. In it the applicant who was working as Chief Controller, Akola under the South Central Railway is claiming payment of overtime dues of approximately Rs.15,000/- arising from <sup>allegedly</sup> incorrect classification of his duties as 'continuous' instead of 'intensive' under the rules of employment regulations.

2. We have heard the applicant in person and Mr. P.S.Lambat, learned counsel for the respondents who waives notice.
3. It is submitted by the applicant that his duties were originally classified as 'intensive' but were subsequently changed to 'continuous' in 1986. The applicant along with his co-workers made a representation

Cont'd. . . . 2/-

(J)

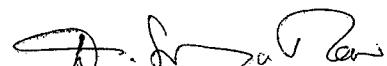
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against this change of classification on 25.5.1988. It was fairly stated by the applicant that they have received a reply rejecting this representation on 22.6.88. It is the applicant's case that he did not pursue the matter thereafter for fear of earning the displeasure of the respondents. We are unable to go along with this apprehension of the applicant. It is incumbent on him to safeguard his own rights and adequate protection is available to him should he choose to do so. In view of these circumstances we are of the view that this application is hopelessly barred by limitation in as much as it was filed over two years after the cause of action.

4. We accordingly summarily reject this application under Section 19(3) of the Central Administrative Tribunals Act, 1985.



( P.S. Chaudhuri )  
Member (A)



( D. Surya Rao )  
Member (J)

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