

Sh. Namdev Bajirao, Nag,
(S. D. P. thatun ady)

CRy. & S.
(S. D. P. thatun ady)

LIST OF INDEX

LIST OF PAPERS IN O.A. / I.A. NO. 215/90 OF

PART	SERIAL NO. OF PAPERS ON RECORD	DATE OF PAPER / FILING	DESCRIPTION OF PAPER
7	1	—	PT
	1-2	18-6-90	TO
	3	6-8-90	TO
	4	17-7-90	Registry Noting
		12-11-90	—
	5	2-11-93	PT
	5.	14-1-94	TO / J W
	—	—	Coas: Hembu Sh. M. S. Doshpande & Hembu Sh. M. R. Kothatkar, mca Index is enclosed. h w
1	—	—	Scrutiny. Sheet of OA
1	1-2	6-4-92	Notice issued to Repdt for AH
1	3-4	20-6-90	Letter issued to Repdt for copy of OA
	5	6-7-90	Copy of order of 6-8-90 issued to parties
	6	23-8-90	Received letter from Advocate
	7	20-7-90	Notice issued to parties
	8	9-11-93	Copy of jud issued to parties
	9	11-2-94	Notice return unsent for application
	10	—	—

Agg
4/12

Do received for Rs 100

80

3 Give the undertaking
that in future application
will be filed in new format.

APPLICATION UNDER SECTION 19 OF THE ADMINISTRATIVE TRIBUNALS

ACT, 1985.

Case No. OA 215 1990.

OA 215/90

Between

Applicant :- Namdeo Bajirao, valveman working under CIOW(M) Central
Railway Nagpur.

Versus

Respondents :- (I) The Divisional Railway Manager,
Central Railway Nagpur.

(II) The General Manager,
Central Railway Bombay V.T.

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D. P. THAKUR

M.A., LL. B. (Sahitya Karna)
Advocate, Nagpur.

For use in Tribunal's Office

Signature of the applicant

Date of filing

or

Date of Receipt by post

Registration No.

Signature

For Registrar.

Central Administrative Tribunal,
New Bombay Bench
Received application on 5/4/90
By Hand / Post
For Registrar

Office Notes, Office
Memorandum, of Coram
Appearance, Tribunal's
orders of direction &
Registrar's Orders

Tribunal's orders

Stamp No 205/90

Fee Tribunal

Free objections

- ① Old format.
- ② Facts are very short
not under distinct heads.
not numbered consequently.
- ③ Order against which
application filed is not
enclosed.
- ④ Regs sets incomplete
(documents not enclosed)

Fixed for Admission hearing
on 18th June 90 at Nagpur
with point & counterpoint
Recd - 9(1)

By Reg

Date and objections noted

Dr. P. V.

ad v

5-4-90

Dated: 18/6/90: Camp at Nagpur:

In this claimed petition filed on
5/4/90 claiming pay in the grade of ^{claimed}
Rs. 950-1500 for the post of Pump Driver, on
the allegation that although the
applicant was employed as a Valveman
in the grade of Rs. 750-900 he was
made to work on a higher post of
Pump Driver carrying the pay scale
of Rs. 950-1500. The claim has been
preferred for the period 1978-89.
On a question put to the learned
counsel for the applicant it was
disclosed to us that no steps
were taken earlier ^{before} ~~than~~ filing
this application. Therefore, a
question of limitation has to be
posed. Issue notice to the
Respondents to show cause as to
why the petition be not admitted.

Contd..

(12)

List for admission hearing
on 6/8/90 at Nagpur.

Shri P.S. Lambat takes
notice on behalf of the
Respondents. Let the office
hand over the copies meant
for the Respondents to
Shri Lambat.

Notice dated
20/6/90 received
by Shri P.S. Lambat
on behalf of respondents
on 22-6-90.
Date
24/6/90

D.K. Agrawal P.S. Chaudhri
(D.K. AGRAWAL) (P.S. CHAUDHURI)
MCI/ MCA/

Copy of O.A. issue
to the Respondents.
on dt 6.7.90
MSD
6.7.90

Order dt. 6.8.90
Sworn issue on 5.9.90
to Applicant →



Board shows the date.
01/7/90. →
Page 149

Camp : Nagpur


3

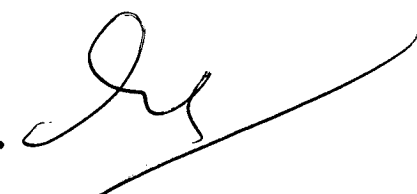
Tribunal's Order

Dated: 6.8.1990

The applicant who is a Khalasi under the respondents alleges that while working as valveman in the grade of Rs.750-900 his services were utilised as Electric Pump Driver from 1978 to 1989 in the grade of Rs.950-1500 but he has not been paid the wages applicable for the latter post. He prays that he should be paid the difference between the two grades from 1978 to 1989.

2. The present application has been filed only on 5.4.1990.
3. Faced with the hurdle with respect to the bar of limitation in respect of the claim as made in the application, Counsel of the applicant fairly submitted that the application may be treated as for the difference of pay within the one year period prior to the date of filing of the application. We record the statement and allow the applicant to proceed with the application only to that limited extent.
4. The application is admitted only to that extent.
5. There is a relief ^{claimed} in the application to consider the applicant for promotion to the post of Electric Pump Driver, that is a relief which is not consequential to the earlier relief and as such cannot be pursued in the present application.
6. Advocate Mr.P.S.Lambat has entered appearance on behalf of the respondents. The respondents to file reply in a period of four weeks and to serve a copy on the counsel of the applicant.
7. The O.A. will be listed for hearing in accordance with its turn.


(I.K.RASGOTRA)
MEMBER (A)


(G.SREEDHARAN NAIR)
VICE CHAIRMAN

OA 215/90

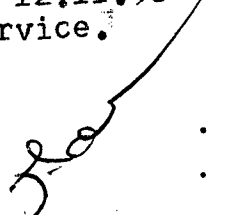
Date: 17.9.90

Neither the Applicant nor his Advocate is present.

Mr. D.N. Dadilwar, Law Asstt. DRM Office, Nagpur is present on behalf of Respondents.

Mr. Dadilwar has filed reply today and has undertaken to file the proof of service on the next date.

Adjourned to 12.11.90 for filing proof of service.


Registrar.

OA 215/90

Date: 12.11.90


Neither the Applicant nor his Advocate are present.

Mr. D.N. Dadilwar, Law Asstt. Central Rly., DRM office, Nagpur is present on behalf of Respondents.

Mr. Dadilwar has shown the proof of service of the reply on the Applicant today.

Since the reply of Respondents has been filed in the matter, the matter has become ready for hearing. However, it is not possible to fix hearing date in the near future on account of other old pending urgent matters. This matter is, therefore, kept on Sine-die list.

Mr. Dadilwar says that at the time of fixing the date of final hearing notice may be issued to Respondent No. 1. Notice may also be issued to the Applicant.


Registrar.

3

PER TRIBUNAL

Dt. 2-11-93

As per direction of the
Hon'ble Vice Chairman dated
24.8.93, the matter is taken up
from Sine-die list. Fixed for
Final Hearing on ~~08-09-93~~
Issue notices for the parties
as per order dated 12-11-90

[Signature]
Court Officer.

at Nagpur
well caused
from 10 JAN 94

Notice issued to applicant
C.R. No. 1 on 9/11/93
2
10/11

Date :- 14-1-94

None present for the applicant.
M-P.S. Lambat Counsel for
respondents.
Dismissed in default of
appearance of the applicant.

MR Kolhatkar
(M.R. KOLHATKAR)
M(A)
[Signature]
(M.S. DESHPANDE)
V.C.

DT 14-1-94
Order/Judgement despatched
to Applicant/ respondent (s)
on 11/2/94
[Signature]
14/2/94

Notice issued to
applicant send back
informed under postal
demonstrated "Left".
17/2