

Sh. Nanddev Bagorao, No.
& D.P. Thakur, Ady

Ex. & Dr
C.S. & L. Lambat, 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
2	1	—	PT
	1-2	18-6-90	TO
	3	6-8-90	TO
	4	17-7-90	Scrutiny Noting
		12-11-90	—
	5	2-11-93	PT
	5.	14-1-94	TO / J.W.
			Concurrence Shri M.S. Deshpande & Member Shri M.R. Kolhatkar, M.C.A Member Shri M.R. Kolhatkar, M.C.A Index is enclosed in this
12	—	—	Scrutiny Sheet of OA
11	1-2	6-4-92	Notice issued to Report for AH
10	3-4	20-6-90	Letter issued to Report for copy 6/02
	5	6-7-90	Copy B order on 6-8-90 issued to
	6	23-8-90	Parties
	7	20-7-90	Received letter from Adhoc cell
	8	9-11-93	Notice issued to parties
	9	11-2-94.	Copy B and issued to parties
	10	—	Notice return issued for application

Aug 12

For record for R.S.Y

of giving the undertaking
that in future applications
will be filed in new format.

APPLICATION UNDER SECTION 19 OF THE ADMINISTRATIVE TRIBUNALS

5-3-90
ad v
5-3-90

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. (Sahityakaruna),
Advocate, Nagpur.

For use in Tribunal's Office

SD 14-9-90

Signature of the applicant

1103

Date of filing

or

Date of Receipt by post

Registration No.

Signature

For Registration

Central Administrative Tribunal, New Bombay Bench
Received application on 14.9.90
By Hand / Post
Received 20-9-90
For Registrar
48th

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

Tribunal's orders

Stamp No 205/90

Free objections

- ① Old format.
- ② facts are very short
not under distinct heads
not numbered consequently.
- ③ order against whom
apprehension filed B not
enclosed.
- ④ Regs sets incomplete
(document not enclosed)

Date and objections noted

Oral
adv
S.W.

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

In this claimed petition filed on 5/4/90 claiming pay in the grade of B 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} ~~before~~ were taken earlier ~~before~~ filing this application. Therefore, a question of limitation has to be faced. Issue notice to the respondents to show cause as to why the petition be not admitted.

Contd..

⑨

Fix 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.

D.K. Agrawal P.S. Chaudhuri
(D.K. AGRAWAL) (P.S. CHAUDHURI)
M.J. MCA

Notice served
20/6/90 received
by Shri P.S. Lambat
on behalf of respondents
on 22-6-90
Date
27/6/90

COPY OF O.F. ISSUE
TO THE RESPONDENTS.

on dt 6-7-90

M&D
6-7-90

Order dt. 6-8-90 →
Served issue on 5-9-90
to Applicant

HJ

Board should decide. →
on 11/9/90.

Opje. 14a

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.

Subhash
• (I.K.RASGOTRA)
MEMBER (A)

G.Sreedharan Nair
(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.

(5)
PER TRIBUNAL

D. 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 ~~25.8.93~~
Issue notices for the parties
as per order dated 12-11-93

at Nagpur
W.C. cause No. 10
from 10 on JAN 1994

Copy Dr.
Court Officer.

Notice issued to applicant
& R. no. 10 on 9.11.93

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. K. Chatterjee

(M.R. K. CHATTERJEE)

M(A)

M.S. DESHPANDE

M.C.

14/1/94

Order/Judgement despatched
to Applicant/ respondent(s)
on 11/1/94

14/1/94

Notice issued to
applicant send back
(unseen) under post
demands "left".

MS
17/2