

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
NEW BOMBAY BENCH, NEW BOMBAY.

(2)

Original Application No.687/90.

Shri S.S.Rahane.

... Applicant.

V/s.

General Manager,  
Currency Note Press,  
Nasik Road.

... Respondents.

Coram: Hon'ble Member(A), Shri M.Y.Priolkar,  
Hon'ble Member(J), Shri T.C.Reddy.

Appearances:-

Applicant by Mr.G.D.Samant.  
Respondents by None

Oral Judgment:-

(Per Shri M.Y.Priolkar, Member(A)) Dated: 4.3.1991.

The applicant in this case had joined as a Mazdoor in the Currency Note Press at Nasik on 22.12.61.

His services were terminated on 20th March, 1970

pursuant to his conviction by the Magistrate in a Criminal Case under Bombay Prevention <sup>of</sup> Gambling Act.

By letter dt. 22.4.1986 <sup>of</sup> the Works Manager, Currency Note Press, Nasik, <sup>the applicant's</sup> ~~has~~ representation for re-employment was considered and he was allowed to join subject to the conditions that the entire period from 20.3.1970 to the date of re-employment will be treated as dies non entailing forfeiture <sup>of</sup> ~~to~~ the entire past service for pension, seniority etc.

2. The grievance of the applicant in this application is that he should have been given the benefit of continuity of service with retrospective effect from 20.3.1970 with all consequential benefits of gratuity, pension etc. It is stated that the applicant had submitted a representation to this effect through proper channel to the Secretary, Government of India, Ministry of Finance on 15th March, 1988, but ~~still~~ he has still not received any reply from the respondents.

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3. Admittedly, the applicant did not approach any competent Court after his services were terminated on 20.3.1970. Even after he was offered re-employment on 22.4.1986, the specific condition that he will be treated as a new entrant and the entire intervening period between the date of termination of services and date of rejoining will be treated as dies non entailing forfeiture of his past service, he waited till 15.3.88 even for submitting a representation against this condition. Thereafter, he has taken again almost 3 years to approach us with this application. We find no justification for the delay in submitting this application which should have been made at least within 18 months from the date of the offer of re-employment viz. 22.4.86. The application is, accordingly, dismissed at the admission stage itself as barred by limitation under section 19 of the Administrative Tribunals Act, 1985. There will be no order as to costs.

T. C. Reddy  
(T.C.REDDY)  
MEMBER (J)

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(M.Y. PRIOLKAR)  
MEMBER (A).  
4.3.81