

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

NEW BOMBAY BENCH

O.A. No. 441/90

T.A. No.

198

DATE OF DECISION 20-12-1990

Waman Mahadeo Bane, Ordnance Petitioner
Factory, Khamaria, Jabal-pur. 482005.

Mr. A.H. Kadam

Advocate for the Petitioner(s)

Versus

Works Manager (Admin.) for General Manager,
Ordnance Factory, Jabalpur. Respondent

Advocate for the Respondent(s)

CORAM

The Hon'ble Mr. P.S. Chaudhuri, Member(A)

The Hon'ble Mr. N. Sengupta, Member(J)

1. Whether Reporters of local papers may be allowed to see the Judgement ?
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 ?

Yes

No

P. S. Chaudhuri
(P.S. CHAUDHURI)
M(A)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW BOMBAY BENCH
NEW BOMBAY

O.A.No.441/90

Waman Mahadeo Bane
Ordance Factory, Khamaria,
Jabalpur-482005

...

Applicant

Vs.

Works Manager(Admin) for General Manager,
Ordance Factory,
Jabalpur, May ...

Respondent

Appearances:

Mr. A.H.Kadam, Counsel
for the applicant.

None for the respondent.

Coram: Hon'ble Mr.P.S.Chaudhuri, Member(A)

Hon'ble Mr. N.Sengupta, Member(J)

Dated:20-12-1990

Oral

Judgement

(Per Mr.P.S.Chaudhuri)

This application under Section 19 of the Administrative Tribunals Act, 1985 was filed on 2-7-1990. In it, the applicant who was employed in Ordance Factory, Khamaria is seeking payment of gratuity, encashment of earned leave at credit, and Family Pension applicable to employees.


2. We have gone through the application and heard Mr.A.H.Kadam, learned advocate for the applicant.

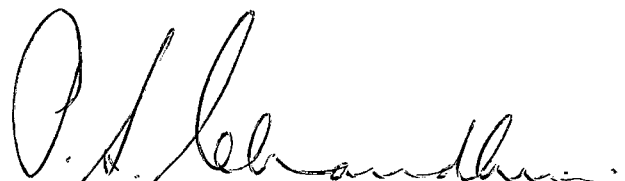
3. The applicant resigned with effect from 9-10-1971. The first two reliefs claimed therefore became due from that date which is long before 1.11.1982. It is now well settled that the Administrative Tribunals Act, 1985 does not vest any jurisdiction, power or authority in the Tribunal to take cognizance of a grievance arising out of an order made prior to 1-11-1982 - see V.K.Mehra V. Secretary, Ministry of Intormation & Broadcasting, New Delhi (ATR 1986- CAT 203). In this view of the matter,

we have no hesitation in holding that we have no jurisdiction as far as first two reliefs claimed by the applicant are concerned. (5)

4. It is not disputed that the third relief claimed is payable only on the demise of the retired employee. In view of this position, the third relief claimed is not maintainable at this stage.

5. Based on this discussion the application is summarily rejected under Section 19(3) of the Administrative Tribunals Act, 1985.


(N. Sengupta)
Member(J)


(P. S. Chaudhuri)
Member(A)