

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

BOMBAY BENCH

O.A. NO: 825/91

199

Case No:

DATE OF DECISION 6.2.1992

Doraiswamy Harry

Petitioner

Mr. J.M.Tanpure

Advocate for the Petitioners

Versus

Union of India & Ors.

Respondent

Mr. R.K.Shetty

Advocate for the Respondent(s)

CORAM:

The Hon'ble Mr. Justice U.C.Srivastava, V/C

The Hon'ble Mr. M.Y.Priolkar, Member (A)

- 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 ?

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( U.C.Srivastava )  
V/C

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BOMBAY BENCH, BOMBAY

\* \* \* \* \*

Original Application No. 825/91

Doraiswamy Harry ... Applicant

v/s

Union of India & Ors. ... Respondents

CORAM : Hon'ble Vice-Chairman, Shri Justice U.C.Srivastava  
Hon'ble Member (A), Shri M.Y.Priolkar

Appearances:

Mr. J.M.Tanpure, Advocate  
for the applicant and  
Mr. R.K.Shetty, Counsel  
for the respondents.

ORAL JUDGMENT:

Dated : 6.2.1992

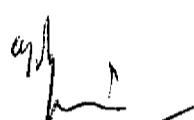
(Per. U.C.Srivastava, Vice-Chairman)

The applicant was removed from service in the year 1981 because of the conviction of the applicant and in that year or so he was also intimated that a particular amount of pension has been granted. The applicant did not take any steps in the matter and some four years thereafter in the year 1985 he gave a notice under Section 80 of C.P.C. It is thereafter in the year 1989 he filed an appeal against the punishment and the appeal was not entertained on the ground that it was barred by time. Thereafter now he has approached the Tribunal. The applicant's contention is that he has been approaching the authorities against the order of compulsory retirement and as such he is entitled to get ~~across~~ limitation. The matter was a closed chapter in the year 1981. Merely because the applicant tried to rake up the matter after eight or nine years that will not revive the lost limitation. As such the application has got to be dismissed on the ground that it is barred by time and the Tribunal in this case has got no jurisdiction. The learned

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counsel contended that of course a direction may be given to the respondents to entertain the Industrial Disputes and adjudicate the matter. It is for the applicant to approach the Labour Court or Industrial Tribunal in the matter and in case they can adjudicate it obviously it is for them to adjudicate the matter and no observation in this behalf could be made. With these observations the application is dismissed. No order as to costs.

  
( M.Y. Priolkar )  
Member(A)

  
( U.C. Srivastava )  
Vice-Chairman

v/-