

(05)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL, BOMBAY BENCH,  
BOMBAY, CAMP AT NAGPUR.

Original Application No.665/91.

Shri D.L.Rao,

..... Applicant.

V/s.

Union of India,  
through General Manager,  
Central Railway,  
Bombay.

..... Respondent.

Coram: Hon'ble Vice-Chairman, Shri Justice M.S.Deshpande.  
Hon'ble Member(A), Shri M.Y.Priolkar.

Appearances:-

None for the applicant.  
Ms. Shinde, counsel for  
the Respondents.

Oral Judgment:-

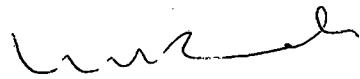
(Per Shri M.S.Deshpande, Vice-Chairman) Dt. 15.3.1993.

Applicant is absent. Ms. Shinde, counsel for  
the respondent is present.

We have heard Ms. Shinde for the respondents  
and it is apparent that though the cause of action had  
arose in February, 1975, the application was filed in  
January, 1992. The application is <sup>well</sup> ~~swell~~fully beyond  
limitation.

Dismissed summarily.

  
(M.Y.PRIOLKAR)  
MEMBER (A)

  
(M.S.DESHPANDE)  
VICE-CHAIRMAN

B.

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BOMBAY BENCH

09

Review Petition No.79/93  
in O.A.665/91

Shri D.L.Rao .. Applicant.

vs

Union of India  
through General Manager,  
Central Railway,Bombay .. Respondent.

Coram: Hon'ble Shri Justice M.S.Deshpande, Vice-Chairman  
Hon'ble Shri M.Y.Priolkar, Member(A)

Tribunal's Order  
(Per: Hon'ble Shri M.Y.Priolkar, Member(A))

Dated:11-11-93

In the circumstances explained in Miscellaneous  
Petition filed for condonation of delay, we condone  
the delay and proceed to consider this review petition  
on merits by circulation.

2. We had dismissed O.A. 665/91 by our judgement  
dated 15-3-93 holding that it was woefully beyond limitation,  
since the application was filed in January 1992 while the  
cause of action had arisen in February 1975. In this O.A.  
the applicant who retired in 1982 had prayed for pro-forma  
fixation of pay in higher pay scale from 1-2-1975 and  
arrears and other consequential benefits till retirement  
in 1982. The only ground advanced for seeking a review of  
the judgement is that the communication denying the applicant's  
right is dated 2-9-1991. It is, however, seen from the  
record that this communication is a reply to the applicant's  
representation dated 1-2-91, which does not refer to any  
earlier representation by the applicant on the subject.

3. We do not see any error of fact or of law  
apparent from record in our judgement dated 15-3-93.  
There is also no additional evidence produced by the