

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

CIRCUIT SITTING AT NAGPUR

O.A. NO: 1344/92 199

T.A. NO: -----

DATE OF DECISION 20-1-1993

M.V.Gopalakrishna Petitioner

Mr.Y.B.Phadnis Advocate for the Petitioners

Versus

Union of India and 5 ors. Respondent

- Advocate for the Respondent(s)

CORAM:

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

The Hon'ble Mr. V.D.Deshmukh, Member(J)

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

mbm*

MD

[Signature]
(M.Y.PRIOLKAR)
M(A)

(7)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH
CIRCUIT SITTING AT NAGPUR

O.A.1344/92

M.V.Gopalkrishna,
13/2, Gadga Layout,
Priyadarshini Nagar,
Near R.T.O. Office,
Civil Lines,
Nagpur - 440 001.

.. Applicant

-versus-

1. Union of India
through
The Chairman,
Railway Board,
Rail Bhavan,
New Delhi.
2. The Managing Director,
IRCON, Palika Bhavan,
Sector No.XIII,
R.K.Puram,
New Delhi - 110 066.
3. The General Manager,
South Eastern Railway,
Garden Reach,
Calcutta - 700 043.
4. The Chief Personnel Officer,
South Eastern Railway,
Garden Reach,
Calcutta - 700 043.
5. The Divisional Railway Manager,
South Eastern Railway,
Nagpur.
6. The General Manager,
IRCON,
35, S.E.Railway Layout No.II
Ranapratap Nagar,
Nagpur - 440 022.

.. Respondents

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

Hon'ble Mr.V.D.Deshmukh,
Member(J)

Appearances:

1. Mr.Y.B.Phadnis
for the applicant.

ORAL JUDGMENT: Date: 20-1-1993
(Per M.Y.Priolkar, Member(A))


This applicant had ~~before~~^{earlier} filed an application(O.A.358/89)praying for the same reliefs but that application was rejected on 19-1-1990 by this Tribunal on the point of limitation. Learned counsel for the

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applicant argued that on that occasion the point of limitation was not properly argued by the advocate who was representing his client at that time. According to the learned counsel, in a number of cases a view has been taken by the various courts that the limitation would not be applicable in such cases.

2. Since there is a decision by this Tribunal in this very case, in our view this ^{case} cannot be reopened on the principle of res-judicata merely on the ground that subsequently different views have been taken by the Tribunal or by any other court. The application is accordingly rejected, ~~as devoid of~~ ^{of any merits.}

3. No order as to costs.


(V.D. DESHMUKH)
Member(J)


(M.Y. PRIOLKAR)
Member(A)

MD