

(6)

CENTRAL ADMINISTRATIVE TRIBUNAL  
BOMBAY BENCH

Original Application No: 498/92

~~TRANSMITTAL APPLICATION~~

DATE OF DECISION 22.1.93

Shri Chaitram Chunnilal Zarbade Petitioner

Shri A.G. Modak Advocate for the Petitioners

Versus

The Asstt. Mechanical Engineer Respondent  
Central Railway, Nagpur and others


Shri P.S. Lambat Advocate for the Respondent(s)

CORAM:

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

The Hon'ble Shri V.D. Deshmukh, 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 ?
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(M.Y.Priolkar)  
Member(A)

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(3)

CENTRAL ADMINISTRATIVE TRIBUNAL  
BOMBAY BENCH  
CAMP AT NAGPUR

Original Application No. 498/92

Shri Chaitram Chunnilal Zarbade

... Applicant.

V/s.

The Asstt. Mechanical Engineer  
Central Railway, Nagpur

The Divisional Mechanical Engineer(P)  
Central Railway, Nagpur

The Divisional Railway Manager  
Central Railway, Nagpur

The General Manager  
Central Railway,  
Victoria Terminus  
Bombay.

... Respondents

CORAM: Hon'ble Shri M.Y.Pfiolkar, Member(A)

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

Appearance:

Shri A.G. Modak, counsel  
for the applicant.

Shri P.S. Lambat, counsel  
for the respondents.

ORAL JUDGEMENT

Dated: 22.1.93.

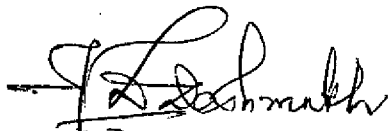
Per Shri M.Y.Priolkar, Member (A)

The applicant is aggrieved in this case with the final order dated 15.4.1982 (Annex.11) at page 38 of the paper book by which he was informed that Ministry of Labour had decided not to refer his case for adjudication. The learned counsel for the applicant stated that since then representations have been made to the respondents but they have not replied to any of them. Section 21(2) of the Administrative Tribunals Act, 1985 provides that the Tribunal shall not entertain an application, if the grievance in respect of which the application is made had arisen by reason of any order made at any time before the period of three years immediately preceeding the date on which specific power or authority of Tribunal becomes exerciseable under this Act. Since the Act came into force from

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1.11.85, this means that our jurisdiction is barred in respect of matters where the final order was made prior to 1.11.82. Since in this case the final decision was communicated by order dated 15.4.82, it follows that we have no jurisdiction in this case and the application is accordingly rejected as barred for want of jurisdiction.

There shall be no order as to costs.



(V.D. DESHMUKH)  
MEMBER (J)



(M.Y. PRIOLKAR)  
MEMBER (A)

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