

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

Original Application No.574/92.

Shri K.S.Nair. Applicant.

W/s.

Union of India & Ors. Respondents.

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

Appearances:-

Applicant present in person.
Respondents by Shri K.D.Kelkar.

Oral Judgment:-

¶Per Shri M.S.Deshpande, Vice-Chairman¶ Dt. 26.7.1993

The applicant is present in person and
Shri K.D.Kelkar is present on behalf of the Respondents.
We have heard the parties. It appears that he has a
grievance about the Respondents letter dt. 27.5.1977
by which while being posted at Nagpur he was to be
treated as a new recruit and his previous service
was not to be counted. ~~Nothing was~~ done by the applicant
after his transfer and he made a representation only
on 12.4.1991 when the claim was already barred by time.

2. The Respondents counsel also points out that
~~the very~~ same grievance was raised by the applicant
in O.A. No.223/91 and his contentions were repelled by
the Judgment dt. 11.3.1992. According to the applicant
there the circular in question was a different one issued
in 1961 while here is basing his claim under the Circular
of 1976. In any event, the applicant could have in
the previous application also relied on the Circular of
1976. Merely because he has not done that the present
application will not be entertainable, as it will be
barred by the principles of constructive res-judicata.

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3. The application is dismissed with no order as to costs.



(M.Y. PRIOLKAR)
MEMBER(A)



(M.S. DESHPANDE)
VICE-CHAIRMAN

B.