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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL, BOMBAY BENCH,

CAMP AT NAGPUR.

Original Application No.574/92.

Shri K.S.Nair.

..... Applicant.

B/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

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