

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

Second Floor,  
Commercial Complex,  
Indiranagar,  
Bangalore-560 038.

Dated: 24 JUN 1993

APPLICATION NO(s). 339 / 93.

Applicant(s)

1. M.V. Bhat

Respondent(s)

201. Others

1. M. Vasudeva Bhat, R/O. Maravantha Village: Maravantha Post (CDK)
2. The Govt of India, by its secretary Department of Post, Dak Bhawan New Delhi
3. The Director General, Post, Dak - Bhawan New Delhi
4. The Superintendent of Post offices Udaipur division, Udaipur
5. Sri. O.S. Bhat, Advocate, 651/B, 80th Road Cross, Rajaji Nagar II Stage - Bangalore-10.
6. Sri. M. Vasudeva Rao, Central Govt Standing Counsel, High Court Building Bangalore

SUBJECT:- Forwarding of copies of the Order passed by the Central Administrative Tribunal, Bangalore Bench Bangalore.

Please find enclosed herewith a copy of the ORDER/ STAY/INTERIM ORDER passed by this Tribunal in the above said application(s) on 15.6.93

Issued  
on

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DEPUTY REGISTRAR  
JUDICIAL BRANCHES.

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH : BANGALORE

DATED THIS THE FIFTEENTH DAY OF JUNE 1993

Hon'ble Mr. Justice P.K. Shyamsundar ... Vice Chairman

Hon'ble Mr. V. Ramakrishnan ... Member [A]

APPLICATION NO. 339/93

M. Vasudeva Bhat,  
S/o Nagappayya Bhat,  
Aged 45years,  
Residing at Maravantha village,  
Maravantha Post [D.K.].

... Applicant

[Shri O.S. Bhat ... Advocate]

v.

1. The Govt. of India,  
represented by its Secretary  
to the Department of  
Postal, Dak Bhavan,  
New Delhi.
2. D.G., Posts, New Delhi.
3. The Superintendent of Post Offices,  
Udupi Division,  
Udupi-576 101.

... Respondents

[Shri M. Vasudeva Rao ... Advocate]

This application having come up for hearing before this  
Tribunal today, Hon'ble Vice-Chairman, made the following:

ORDER

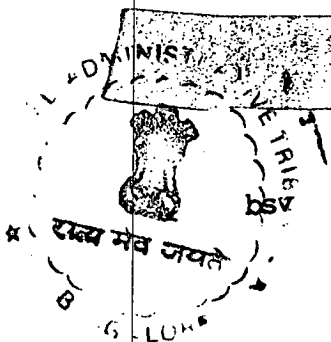
1. We do understand the hardship undergone by the applicant whose salary stood reduced from Rs.505 to Rs.445<sup>under his contract</sup> but that happened in the year 1984. Thereafter it would appear that the applicant made a series of representations which did not produce any favourable result but even then he appears to have persisted in knocking at the doors of superior officers and at last came to this Tribunal after logging up a delay of 792 days. He has asked us to condone the delay but we find that the delay is so inordinate and the grounds made out for condonation of delay are so vague



that we cannot accede to his request. Even otherwise a Bench of this Tribunal presided over by KSPJ has way back in 1987 in the case of DR. [MRS.] KSHAMA KAPUR V. UNION OF INDIA 1987[4] ATC 329 went into this aspect of the matter and held --

"Applicant's representations regarding counting of past service in other organisation rejected in 1979 - Applicant receiving another intimation on 3.7.1986 informing that her complaint regarding extending of similar benefit of counting of past service to other persons being looked into - Held, such intimation does not create fresh period of limitation - further held, principle of acknowledgement of liability does not apply to administrative or judicial orders - Also held on facts, intimation dated 3.7.1986 did not validate or revalidate earlier orders- Hence, it does not revive already expired limitation period." [emphasis supplied].

We are in respectful agreement with the decision supra and follow the same. In that view of the matter it is clear that this application is irretrievably barred by time and has to be dismissed in limine. But we take this opportunity to commend to the department to consider once again the applicant's case for stepping up his pay to the original level of Rs.505 when the Department takes up periodical review of such cases but whatever happens in that review will not give any fresh cause of action in law to the applicant. No costs.



Sd-

MEMBER [A]

Sd-

VICE-CHAIRMAN

TRUE COPY

*[Signature]*  
SECTION OFFICER  
CENTRAL ADMINISTRATIVE TRIBUNAL  
ADDITIONAL BENCH  
BANGALORE

21/6/93