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CENTRAL ADMINISTRATIVE TRIBUNAL  
BOMBAY BENCH.

Original Application No. 101/93

Transfer Application No. -----

Date of decision 12-7-93

R. Balasubramanian

Petitioner

Mr. Y. R. Singh for Mr. L. M. Nerlekar

Advocate for the Petitioner

Versus

Union of India

Respondent

Mr. S. C. Dhavan

Advocate for the Respondent(s)

Coram :

The Hon'ble Shri Justice M. S. Deshpande, Vice-Chairman

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

1. ~~Whether the Reporters of local papers may be allowed to see the Judgement ?~~
2. To be referred to the Reporter or not ? NO.
3. ~~Whether their Lordships wish to see the full copy of the Judgement ?~~
4. Whether it needs to be circulated to other Benches of the Tribunal ? NO.

  
(M. S. DESHPANDE)  
VC

M

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BOMBAY BENCH

O.A.101/93

R. Balasubramanian,  
C-6-8/3:4, Sector 5,  
C.B.D.,  
New Bombay - 400 614. .. Applicant

-versus-

Union of India  
through  
General Manager,  
Central Railway,  
Bombay V.T. .. Respondent

Coram: Hon'ble Shri Justice M.S. Deshpande  
Vice-Chairman.

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

APPEARANCES:

1. Mr. Y.R. Singh  
for Mr. L.M. Nerlekar  
Advocate for the  
Applicant.
2. Mr. S.C. Dhawan  
Advocate for the  
Respondents.

ORAL JUDGMENT : Date: 12-7-1993  
(Per M.S. Deshpande, Vice-Chairman)

Heard Mr. Y.R. Singh for Mr. L.M.

Nerlekar for the applicant and Mr. S.C.  
Dhawan for the respondents.


2. It is apparent that what is  
being impugned is an order dt. 15-5-86.  
The present application is filed on 2-2-93  
The first representation by the applicant  
came to be made on 14-8-91 and the  
reminder was sent on 10-10-92 claiming the  
relief for the period 10-6-84 to and 17-3-86.  
According to Mr. Singh he became aware of  
his right after this Tribunal delivered  
a judgment in O.A. Nos. 272/88, 282/88 and


350/88 on 13-6-91 where it was held that the circular in question could not be given retrospective effect. Therefore the applicant had approached the Tribunal in time.

3. Reliance is placed on a decision of learned single Member of Calcutta Bench of this Tribunal in Ananta Kumar Mondal V/s. Union of India & Others

ATR 88(2) CAT 499. But the learned Member took <sup>the</sup> view that in view of the representation which the applicant had been making and the final reply which ultimately sent the application was within time. That ~~application~~ <sup>reasoning</sup> would not apply in the instant case.

4. The application is dismissed as barred by time.

  
(M.Y. PRIOLKAR)  
Member(A)

  
(M.S. DESHPANDE)  
Vice-Chairman

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