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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

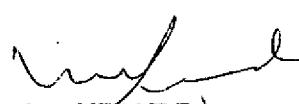
Advocate for the Respondent(s)

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 ?~~ M.
2. To be referred to the Reporter or not ?
3. ~~Whether their Lordships wish to see the ~~fact~~ copy of the Judgement ?~~ M.
4. Whether it needs to be circulated to other Benches of the Tribunal ? M.


(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.

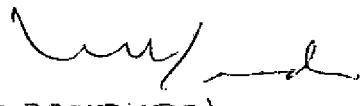
2. It is apparent that what is
being impugned is an order dt. 15-5-86.
The present application is filed on 2-2-93
The first representation by the applicant
came to be made on 14-8-91 and the
reminder was sent on 10-10-92 claiming the
relief for the period 10-6-84 to and 17-3-86.
According to Mr.Singh 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 ^{the} view that in view of the representations which the applicant had been making and the final reply which ultimately sent the application was within time. That reasoning application 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

M