

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH ~~CA~~ NO. 2
CAMP NAGPUR

(2)

O.A. NO: 113/95
T.A. NO:

199

DATE OF DECISION 6.3.1995

Rajaram B. Yadav.

Petitioner

Shri M.W.Harsulkar

Advocate for the Petitioners

Versus

Union of India & Ans.

Respondent

Advocate for the Respondent(s)

CORAM:

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

The Hon'ble Mr. M.R.Kolhatkar, Member(A).

1. Whether Reporters of ~~local~~ papers may be allowed to see the judgement? NV

2. To be referred to the Reporter or not? NV

3. Whether the Lordships wish to see the fairness of the judgement? NV

4. Whether it needs to be circulated to other Benches of the Tribunal? NV

(Signature)
(M.S.DESHPANDE)
VICE-CHAIRMAN

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL,

BOMBAY BENCH,

CAMP AT NAGPUR.

Original Application No.113/95.

Rajaram B.Yadav.

... Applicant.

V/s.

Union of India & Anr.

... Respondents.

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

Appearances:-

Applicant by Shri M.W.Harsulkar.

Oral Judgment:-

(Per Shri M.S.Deshpande, Vice-Chairman) Dt. 6.3.1995.

Heard Shri M.W.Harsulkar, counsel for the applicant.

2. The applicant is claiming deemed date of promotion on the basis of promotions which were granted due to re-structuring w.e.f. 1.6.1981. The applicant's grievance is that his juniors have received promotion in the restructuring, but he was denied the relief. It is obvious that the applicant had sent his first representation on 25.8.1989 and he received a reply on 1.11.1990 denying the relief sought by the applicant.

The applicant should have approached the Tribunal immediately after the representation was rejected, but instead of approaching the Tribunal he went on making repeated representations. The cause of action had accrued more than a year before the filing of the present application. Shri Harsulkar states that the denial of additional pension would be a recurring cause of action. It is difficult to accept this submission in view of the clear position that the higher placement was denied to the applicant in the process of restructuring and that

(4)

would be the cause of action and not mere denial of the additional remuneration which would flow from the re-structuring. The application is barred by time and is dismissed.

M.R.Kolhatkar

(M.R.KOLHATKAR)
MEMBER(A)

M.S.Deshpande
(M.S.DESHPANDE)
VICE-CHAIRMAN

B.