

CENTRAL ADMINISTRATIVE TRIBUNAL

BOMBAY BENCH

O.A.No. 1000/95

Date of Decision 29.2.96

ZIPRA MAHADU

Petitioner

Mr. V G Pashte

Advocate for the Petitioner.

Versus

UOI & Ors.

Respondent

Mr. S C Dhawan

Advocate for the Respondents.

Coram:

The Hon'ble Mr. B.S. Hegde, Member (J)

The Hon'ble Mr.

1. To be referred to the Reporter or not? ✓
2. Whether it needs to be circulated to other Benches of the Tribunal?

  
Member (J)

trk

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BOMBAY BENCH, 'GULESTAN' BUILDING NO.6  
PRESCOT ROAD, MUMBAI-1

O.A.No. 1000/95

DATED: THIS 29TH DAY OF FEBRUARY, 96

Coram: Hon. Shri B.S. Hegde, Member (J)

Zipria Mahadu  
Umbarde, Taluka & Post Kalyan  
Dist. Thane  
(By Shri V.G. Pashte, Counsel) ..Applicant

V/s.

Union of India  
through General Manager  
Central Railway, Bombay VT  
(By Shri S.C. Dhawan, Counsel) ..Respondents

ORDER

(Per: B.S. Hegde, Member(J))

Heard Mr. V G Pashte, Counsel for the  
Applicant and Mr. S C Dhawan, Counsel for the  
respondents.

The applicant had retired in 1981 and he has  
been paid the retiral benefits available at that point  
of time. In June 1995 the applicant has filed this O.A.  
seeking the following reliefs:


To hold and declare that the opening and closing  
of pension by the respondents is illegal, and the  
applicant was unlawfully denied the right to opt for pen-  
sion after his retirement and for a declaration that the  
applicant would be entitled for pensionary benefits from  
1.7.1981 with arrears.

Apart from the delay in filing the O.A. I do  
not find any merit in the contention since the applicant

.2.

did not pursue the matter vigilently and the  
matter cannot be entertained after <sup>a lapse of</sup> 15 years delay.  
The matter is clearly covered by the judgment  
in the case of KRISHENA KUMAR Vs. UNION OF INDIA  
AIR, 1990 SC 1782.

In the circumstances the O.A. is dismissed at the  
admission stage itself.

  
(B.S. Hegde)  
Member (J)

trk