

**Central Administrative Tribunal
Principal Bench**

OA No.1933/2016

New Delhi, this the 1st day of June, 2016

**Hon'ble Mr. Justice Permod Kohli, Chairman
Hon'ble Mr. V. N. Gaur, Member (A)**

Dr. Satish Chand Govil, MBBS (S. C. Govil)
Aged about 68 years,
S/o Late D. P. Govil,
Presently superannuated on attaining the age of
60 years w.e.f. 30.06.2008 while was functioning
as CMO (NFSG) in Meerut CGHS as Group 'A'
Gazetted Cadre Officer
R/o 1.3 Tripati Apptt.
Opp. Saket Meerut.

... Applicant.

(By Advocate : Shri V. P. S. Tyagi)

Vs.

1. Union of India
(through Secretary)
Ministry of Health & Family Welfare,
CHS Division Nirman Bhawan,
New Delhi.
2. The Director General of Health Service
(DGHS) Nirman Bhawan,
New Delhi.
3. The Additional Director
CGHS, Suraj Kund Road,
Meerut.

.... Respondents.

: O R D E R (ORAL) :

Justice Permod Kohli, Chairman :

The applicant retired as CMO (NFSG) on 30.06.2008 after attaining the age of superannuation, i.e. 60 years, from CGHS under the Ministry of Health and Family Welfare, Government of India.

2. Through the medium of this OA, applicant is seeking benefit of Dynamic Assured Career Progression Scheme (DACP) which came into operation w.e.f. 29.10.2008.

3. Admittedly, the applicant had retired prior to coming into force of the said Scheme. He has made a representation dated 27.03.2015. The prayer made in this OA is for a direction to the respondents to take decision on the aforesaid representation of the applicant. Though, apparently, the prayer seems to be innocuous, however, we are not inclined to grant even such a prayer for the reason- (i) the scheme whereunder the benefit is being sought came into being after retirement of the applicant, and there is nothing on record to show that the said Scheme will have retrospective effect, and the applicant can seek benefit under the said Scheme; and (ii) the representation was made after almost seven years from the date of retirement of the applicant. Any direction to consider representation of the applicant would amount to condoning the period of limitation.

4. We do not find any merit in the OA, dismissed accordingly.

(V. N. Gaur)
Member (A)

(Permod Kohli)
Chairman

/pj/