

**CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

O.A. No. 2826/2013

New Delhi, this the 8<sup>th</sup> day of August, 2016

**HON'BLE MR. P.K. BASU, MEMBER (A)**  
**HON'BLE DR. BRAHM AVTAR AGRAWAL, MEMBER (J)**

Moti Ram,  
Retired Loco Inspector,  
B-202, Asha Apartment,  
Railway Road, Bazaria,  
Ghaziabad, UP.

.. Applicant

(By Advocate: Shri Lalta Prasad)

Versus

The Union of India & Ors. through :

1. General Manager,  
Northern Railway,  
Baroda House, New Delhi.
2. Divisional Railway Manager,  
Delhi Division (Northern Railway),  
State Entry Road,  
Paharganj, New Delhi.

.. Respondents

(By Advocate : Shri Shailendra Tiwary)

**ORDER (ORAL)**

**By Hon'ble Mr. P.K. Basu**

Heard the learned counsel.

2. The applicant has prayed as follows in the O.A.:

“To direct the respondents for payment of the Teaching Allowance @ 15% of the basic pay with arrear as per rule.”

3. The respondents in their reply stated that Teaching Allowance @ 15% w.e.f. 16.06.2009 has been allowed to the applicant amounting to Rs.1,98,403/-. It appears from this that the relief sought by the applicant has been met.

4. Learned counsel for the applicant, however, states that there is another period between 2001 and 2006 for which Teaching Allowance should be paid to the applicant. However, nowhere in the O.A. has he raised this issue and mentioned this period nor in the relief clause. The learned counsel for the applicant wishes to amend the O.A. to this extent. We feel that this is a fresh cause of action, which was not raised in the original O.A. and it cannot be entertained at this stage.

5. The O.A. has, therefore, become infructuous and is dismissed accordingly. The applicant may file a fresh O.A. for any fresh cause of action. No costs.

**(Dr. Brahm Avtar Agrawal)**  
**Member (J)**

**(P.K. Basu)**  
**Member (A)**

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