

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

O.A No. 3798/2018

This the 8th day of October, 2018

Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Ms. Aradhana Johri, Member (A)

A.K. Goel,
Aged about 68 years,
Son of Shri. P. C. Goel,
Retired as Additional Director General of Works,
CPWD,
Mohua, Government of India,
Delhi.
Resident of 1st Floor, 110-A/4,
Krishna Nagar,
Safdarjung Enclave,
New Delhi – 110 029. ...Applicant

(Applicant in person)

Versus

The Secretary,
Ministry of Housing and Urban Affairs,
Government of India,
Room No. 122-C,
C-Wing, Nirman Bhavan,
Maulana Azad Road,
New Delhi – 110 011. ...Respondent

O R D E R (O R A L)

Justice L. Narasimha Reddy, Chairman :

This O.A is filed with a prayer to direct the respondents to pay compensation for assessing numerous ACRs of the applicant below bench mark, denying the promotion for more than 28 years and forcing him to 15 litigations up to

Supreme Court. The second limb of prayer is to award costs for 8 litigations in the Tribunal and 5 litigations in the Hon'ble Hon'ble High Court and 2 litigations in the Hon'ble Supreme Court to be paid to him. The third relief is claim for payment of salary for the post of Superintending Engineer since date of promotion i.e., 31.12.1985. The last relief is for interest at 18% per annum on all the arrears including the arrears which was already paid.

2. The applicant argued the case in person. It is stated in the O.A that on account of the entries in the ACR the applicant was denied promotion and he had to initiate litigation to several fronts which involved time and expenditure. The applicant further contends that he is entitled to be paid not only the compensation, but also cost for litigation, apart from the salary for the post of Superintending Engineer, and interest thereon @18% on the arrears.

3. On the first part of the prayer it needs to be observed that the applicant has retired from service way back in the year 2010 and at this length of time he cannot expect us to verify the correctness or otherwise of his ACRs. It is not immediately known as to what directions were

issued in the litigations undertaken by the applicant regarding ACRs. Coming to the second aspect, the applicant wants the cost of litigations to be paid to him. It needs to be mentioned that award of costs if at all, is to be done in the very adjudication and no separate application can be maintained in that behalf.

4. Another relief claimed by the applicant is payment of salary for the post of Superintendent Engineer from the date of promotion i.e., 31.12.1985. Here again, it becomes untenable in law. Apart from the question of limitation, the one of acquiescence comes into play. The applicant got several promotions and in the relief granted to the applicant by the Court, it is clearly mentioned that he shall not be entitled to any arrears of any type.

5. Similarly, the relief claimed in this O.A for interest does not merit consideration. Neither the amount which is said to have been paid belatedly nor the time involved was mentioned. Under these circumstances, we cannot grant any relief to the applicant.

6. The O.A is dismissed. There shall be no order as to costs.

(Aradhana Johri)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

/Mbt/