

**Central Administrative Tribunal
Principal Bench
New Delhi**

OA No.4457/2015

This the 18th day of September, 2018

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

Suresh Kumar Azad
Aged 62 years
S/o Late Shri Chatru Singh
(Ex. Dy. FA & CAO/C/JAT)
G.M. N. Rly Baroda House
New Delhi
Res.: B-605
Rail Vihar Alpha-I
Greater Noida(U.P.)

...Applicant

(By Applicant in person)

Versus

CM/KRCL
Konkan Railway Corp. Office
Belapur Bhawan
CBD Belapur
Sector-11, Nawi Mumbai
(Ministry of Railway)

..Respondents

(By Advocates: Ms. Gunjan Sinha Jain and Shri
Shubham Sarena)

ORDER (ORAL)**Justice L. Narasimha Reddy:-**

This OA is filed with a prayer to set aside the orders dated 08.04.2011, 10.04.2012 and 20.11.2015 passed by M.D. Konkan Railway Corporation (Respondent No.2).

2. The basic facts of the case are that the applicant was an employee of Indian Railways. He retired as Dy. FA and CAO in Northern Railway on 31.12.2013. While he was in service, he went on deputation to M.D. Konkan Railways during the period between 02.05.2007 to 30.11.2008. He made several representations claiming certain financial benefits. The orders that are impugned in the OA are replies given thereto. The applicant contends that though he is entitled to various amounts aggregating to Rs.73,800/- , he has not been paid the same.

3. The respondents filed a counter affidavit raising the objections both as to maintainability of the OA against Konkan Railways and as to limitation.

4. We heard the applicant appearing in person and Ms. Gunjan Sinha Jain, learned counsel for the respondents.

5. The first question is as to the maintainability of the OA against the Konkan Railways which has passed the orders impugned in the OA. The jurisdiction upon the Central Administrative Tribunal is conferred in respect of service matters of any organization, by issuing a notification under Rule 154 (b) of The Central Administrative Tribunal(Procedure) Rules, 1987. Admittedly, no such notification was issued in respect of the employees of M.D. Konkan Railways. When a regular employee of that organization cannot approach this Tribunal in relation to his service matters, the question of a person who was on deputation to the said organization, that too, for a limited period, approaching the Tribunal seeking reliefs, does not arise.

6. Even otherwise the claim of the applicant is barred by limitation. The period during which he was on deputation ended on 30.11.2008. It may be true that the applicant kept on making representations. However the mere issuance of replies, one after the other, even

by raising objection as to the very maintainability of the claim, cannot wipe away the delay that has occurred ever since the deputation ended. The question of limitation, however, becomes secondary once we take the view on the question of jurisdiction.

6. The OA is accordingly dismissed. There shall be no order as to costs.

(Aradhana Johri)
Member(A)

(Justice L. Narasimha Reddy)
Chairman

/vb/