

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

**O.A No. 687/2018**

New Delhi, this the 19<sup>th</sup> day of July, 2018

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

Dr. Kanwal Singh,  
Age-about 68 years and 4 months,  
S/o. Late Sh. Mansa Ram,  
R/o. 119, Bhim Colony,  
Bakhtawar Pur,  
Delhi – 110 036.

...Applicant

(By Advocate : Mr. Amit Kumar with Mr. Utpal Kant)

Versus

The University Grant Commission (UGC),  
Ministry of Human Resource Development  
Through :

1. The Chairman,  
University Grant Commission (UGC),  
Bahadur Shah Zafar Marg,  
New Delhi – 110 002.
2. The Secretary,  
University Grant Commission (UGC),  
Bahadur Shah Zafar Marg,  
New Delhi – 110 002.

....Respondents

(By Advocate : Mr. V. Sudeer for R-1 & 2)

O R D E R (O R A L)

**Justice L. Narasimha Reddy, Chairman :**

The applicant joined the service of the UGC in the year 1995 as an Education Officer. His pay was fixed on 24.07.1996 and he accepted the same but, under protest on 30.07.1996. He was promoted as Joint Secretary and he retired in that position on 30.11.2009.

2. This O.A is filed with a prayer to direct the respondents to re-fix his pay scale from the date he joined service of UGC, with consequential benefits.

3. The respondents filed counter affidavit opposing the O.A. Serious objections are taken as to limitation.

4. Heard Mr. Amit Kumar with Mr. Utpal Kant, learned counsel for applicant and Mr. V. Sudeer, learned counsel for respondents no. 1 and 2.

5. On the face of it, the O.A is barred by limitation. Section 21 of the Administrative Tribunals Act stipulates the limitation within which an application seeking the relief before the Tribunal is required to be filed. There is also provision for condonation of delay, in case proper explanation is put forth. In the instant case, cause of action, if at all, can be said to have accrued to the applicant, in the year 1996, when his pay scale was fixed. Once he accepted the pay scale, albeit under protest in July, 1996, he was expected to seek redressal within a short time thereafter.

6. Assuming that the ratio of the judgment of the Hon'ble Supreme Court in **M. R. Gupta Vs. Union of India & Ors.** 1996 AIR 669 came to the rescue of the applicant as long as in service, he should have sought redresal at least when he was in service. He did not take any steps even after retirement in the year 2009. About nine years have elapsed from the date of retirement. He approached this Tribunal at this stage.

7. We find no basis to entertain the O.A and accordingly, dismiss it. There shall be no order as to costs.

(Aradhana Johri)  
Member (A)

(Justice L. Narasimha Reddy)  
Chairman

/Mbt/