

**Central Administrative Tribunal  
Principal Bench, New Delhi**

O.A. No.2296/2019

Tuesday, this the 6<sup>th</sup> day of August 2019

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman  
Hon'ble Mr. Mohd. Jamshed, Member (A)**

Gurmeet Singh Baihar, age 70 years  
Assistant Engineer (Retd.), Group B  
R/o H.No.A 4, 1<sup>st</sup> Floor  
Panchsheel Vihar, Khirkee Extn. Malviya Nagar  
New Delhi – 110 017

..Applicant  
(Mr. Om Prakash, Advocate)

Versus

Union of India & others

1. The Secretary  
MoUD, Nirman Bhawan, New Delhi – 110 011
2. The Director General, CPWD  
Nirman Bhawan, New Delhi – 110 011
3. The Superintending Engineer (Civil)  
Delhi Central Circle-VI, CPWD  
East Block I  
R K Puram, New Delhi – 110 066
4. The Executive Engineer 'M' Division, CPWD  
East Block-IV,  
R K Puram, New Delhi – 110 066

..Respondents  
(Mr. R.K. Jain, Advocate and  
Ms. Neetu Mishra, Advocate for Mr. K.M. Singh, Advocate)

**O R D E R (ORAL)**

**Justice L. Narasimha Reddy:**

The applicant retired from the service of Central Public Works Department (CPWD) as Assistant on 30.06.2009. His

pay and other retirement benefits were decided and extended. On 25.03.2019, he made a representation to the Department, stating that though he was entitled to be extended the benefit of 3<sup>rd</sup> financial upgradation under Modified Assured Career Progression (MACP) Scheme w.e.f. 01.01.2006 in terms of the recommendations of 6th Central Pay Commission (CPC), he was given that benefit only w.e.f. 01.09.2008.

2. The Executive Engineer of the concerned Office addressed a letter dated 18.07.2019 stating that the applicant completed 30 years of service on 01.04.2009 and through an order dated 06.11.2013, he was extended the benefit and the money was disbursed. The same is challenged in this O.A.

3. We heard Mr. Om Prakash, learned counsel for applicant at the stage of admission, at length.

4. The applicant does not dispute that he was released the pension and other retiral benefits at the time of retirement, and that the benefit of MACP was extended through order dated 06.11.2013. If he felt aggrieved by that in any manner, it was expected of him, to challenge the same at that time itself. He made a representation nearly six years thereafter and a reply was suitably given.

5. It is fairly well settled that a claim, which is otherwise barred by limitation, does not get validity on account of a correspondence, that is undertaken long thereafter.

6. We do not find any merit in this O.A. It is accordingly dismissed. There shall be no order as to costs.

**( Mohd. Jamshed )**  
**Member (A)**

**( Justice L. Narasimha Reddy )**  
**Chairman**

**August 6, 2019**  
/sunil/