

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

O.A. No.2830/2019

Tuesday, this the 24<sup>th</sup> day of September 2019

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

Sh. Radha Charan (Aged about 61 years)  
Group B  
(Retd. ASO), PPO No.406201800013  
Air Force HQ,  
Vayu Bhawan, Rafi Marg, New Delhi – 110 001  
s/o late Sh. Bhajan Lal  
r/o H.No.B-1071, Rajiv Garden, Loni Dehat  
(Near Subham Medical Store, Som Bazar)  
Loni, Ghaziabad, UP 201102

..Applicant

(Mr. A K Bhakt, Advocate)

Versus

1. Union of India & others  
Through the Secretary  
Ministry of Defence, Army Headquarter  
DHQ PO, South Block, New Delhi – 110 011
2. The Joint Secretary (Trg.) and  
Chief Administrative Officer  
Ministry of Defence, E Block Hutments  
DHQ PO, New Delhi – 110 011
3. Sr. Administrative Officer  
Ministry of Defence  
Army Headquarter, E Block Hutments  
New Delhi – 110 011
4. The Director  
PC-II, Air Headquarter, Ministry of Defence  
Air Force HQ, J Block  
New Delhi – 110 011

..Respondents

(Mr. R K Sharma, Advocate)

**O R D E R (ORAL)****Justice L. Narasimha Reddy:**

The applicant was initially engaged as Lower Division Clerk (LDC) in the Ministry of Defence, office of the Joint Secretary (Trg.) and Chief Administrative Officer, the 2<sup>nd</sup> respondent herein. At one stage, he was reverted to the level of Peon. As a measure of implementation of the judgment dated 25.05.2001 in O.A. No.2119/1999, the applicant was appointed as LDC on regular basis on 10.02.1999. He retired from service on 30.06.2018. The applicant made a representation dated 25.06.2019, stating that he noticed certain discrepancies in the PPO and fixation of pay scale, at various stages, and accordingly made a request to give him pay protection and to revise the benefits, including the pension. Acting on the same, the respondents passed an order dated 15.10.2018 furnishing the details of his service and informing the applicant that he has been extended the benefit of regular service as well as part of his *ad hoc* service. The same is challenged in this O.A.

2. The applicant contends that though he was appointed on regular basis on 10.02.1999, he was not fitted into the correct pay scale, which, in turn, has the cascading effect for the rest of his service.

3. We heard Mr. A K Bhakt, learned counsel for applicant and Mr. R K Sharma, learned counsel for respondents, at the stage of admission.

4. The applicant was inducted on *ad hoc* service, initially. He was appointed on regular basis as LDC on 10.02.1999. In case he had any grievance about the fixation of pay scale on regularization, it was expected of him, to make a representation, duly citing discrepancies and the relevant provisions of law. Even from a reading of the representation made by the applicant, it is evident that he did not raise any objection at any point of time, and for the first time, he raised this, after retirement. The regularization took place 20 years ago and he cannot be permitted to raise that issue at this length of time. Even otherwise, he is not able to substantiate his case.

5. 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

**September 24, 2019**  
/sunil/