

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12506 of 2016

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Gyan Chand Singh, Son of Late Rameshwar Ram, resident of village Jhajha (Near Durga Mandir), P.S. Jhajha, District - Jamui.

.... Petitioner/s

Versus

1. The Union of India through the General Manager, East Central Railway at Hajipur.
2. The General Manager, East Central Railway at Hajipur.
3. The Divisional Railway Manager, East Central Railway at Danapur.
4. The Senior Divisional Personnel Officer, East Central Railway at Danapur.
5. The Sr. Divisional Mechanical Engineer, East Central Railway Danapur.
6. The Sr. Section Engineer (Loco), Jhajha, East Central Railway Danapur.
7. The Sr. Section Engineer (Loco), Patna East Central Railway Danapur.
8. The Office Superintendent (Pay Bill) East Central Railway Danapur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Satish Chandra, Advocate.

For the Respondent/s : Mr. Anshuman Singh, Advocate.

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CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA

and

HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)

Date: 08-08-2016

Learned counsel for the petitioner is permitted to correct the writ application.

2. The challenge in the present writ application is to an order dated 25th of January, 2016 passed by the Central Administrative Tribunal, Patna Bench, Patna (for short “the Tribunal”) in O.A. No. 050/00068/2016, whereby an Original Application filed by the petitioner claiming arrears of salary for the months of July, August, September and October, 2002 was dismissed

as barred by limitation.

3. The petitioner claims salary for four months after attaining the age of superannuation on 30th of April, 2011 in an Original Application filed in the year 2016. The Tribunal has rightly found that the claim of the petitioner is stale and is barred by limitation. The salary for the year 2002 cannot be permitted to be claimed in an Original Application filed in the year 2016. It is beyond the period of limitation in terms of Section 21 of the Administrative Tribunals Act, 1985.

4. In view thereof, we do not find any merit in the present writ application. The same is dismissed.

(Hemant Gupta, J)

(Ahsanuddin Amanullah, J)

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