

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.NO.2859/2002

M.A.NO.2459/2002

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Wednesday, this the 6th day of November, 2002

Hon'ble Shri Justice V.S. Aggarwal, Chairman
Hon'ble Shri S.A.T. Rizvi, Member (A)

1. All India Information Assistants Association
D-101, Saket, New Delhi-17
(through its General Secretary,
Siddharth Bodwal)
2. As per Vakalatnama:
 1. Siddharth Bodwal
Parentage: Shri Kartar Singh
D-101, Saket, New Delhi-17
 2. Samresh Kr. Parcha
Parentage: 124, Khara Kalan,
Delhi-82
 3. Vaishnavi N.
W/O TNL Narasimhan
963, Sector III, R.K.Puram
New Delhi-22
 4. Padmini Brahma
w/o Prinjal Brahma
2 Narwade, Sec.IV, Vaishali
Ghaziabad 201010 UP
 5. Sandeep Shukla
Parentage: R.S.Shukla
Bldg.5, HN4, Mahipalpur, Delhi
 6. Sheetal Prasad Kagra
Parentage Shri C.L.Kagra
WZ-33, Khanpur, Opp.P.N.Bank
New Delhi-8
 7. Laxmi Thakur
w/o Shri Pratap Thakur
H.No.147, Sector-7
R.K.Puram, Delhi
 8. Rameshwar Pd. Kumawat
w/o Shri Kishan Lal
104, Munirka Village, Delhi
 9. Shashi Khara
w/o Shri N.K.Khara
74-3C, Secto.II, K.B.Marg,
N.Delhi
 10. Bharti K.Sharma
w/o Shri Gunjan Sharma
92-D Pocket-I, Mayur Vihar-I
New Delhi

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11. Parveen Arora
w/o Shri S.N.Arora
L-63, Sect.II, NOIDA
12. Shushil Kr. Singh
Parentage: Shri Harcharan Singh
Bldg.a5, HN.4, Mahilpalpur, Delhi
13. Vijayan Ramkumar
Parentage: Shri K.E. Vijayan
104, Munirka Vill. New Delhi
14. Pawas Prasoon
Parentage: Shri R.P.Sharma
WA-182, Shakarpur, Delhi-92
15. Elizabeth Varte
d/o H.V. Vungte
85-F, CPWD Colony, Vasant Vihar
New Delhi

..Applicants

(By Advocate: Shri G.S.Chaman)

Versus

1. Union of India through
Secretary Ministry of Tourism
Govt. of India, Transport Bhawan
1 Parliament Street, New Delhi-1
2. Director General (Tourism)
Department of Tourism
Govt. of India
1 Parliament Street, New Delhi-1

..Respondents

O R D E R (ORAL)

Shri Justice V.S.Aggarwal:

MA-2459/2002

MA-2459/2002 is allowed subject to just exceptions. Filing of joint application is permitted.

OA-2859/2002

By virtue of the present application, the All India Information Assistants Association and others seek the following reliefs:-

"The Applicants humbly pray that the Hon'ble Tribunal may be pleased to grant the following relief:-

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- i) Quash the impugned order dated 07.04.2000 at Annex.A-1.
- ii) Grant the Information Assistants scale of pay of Rs.5500-9000 w.e.f. 01.01.1996, failing which at least maintain parity with the minimum of their pay scale at Rs.5500/- with CSS Assistants and others w.e.f. 01.01.1996, which was maintained by the 2nd, 3rd and 4th CPC.
- iii) Any other order or direction considered appropriate in the matter.
- iv) Heavy cost."

2.. During the course of submissions, it was pointed to the learned counsel for applicants that what is being prayed is quashing of the order of 7.4.2000 and the application has been filed on 1.11.2002, therefore, it would be barred by time.

3.. The answer of the learned counsel in this regard was that the applicants had represented in May, 2001 and, in any case, the respondents had created a new post which was abolished in January, 2002 and, therefore, it gives the applicants a fresh period of limitation.

4.. On careful consideration of the matter in question, we are of the considered opinion that the application must be held to be barred by time. Reasons are not far to fetch. The period of limitation started running from 7.4.2000 when the impugned order, copy of which is placed at Annexure A-1, had been passed. The applicants allowed the time to lapse and did not react or file representation. They filed the representation much later. We need hardly to re-emphasize that once a period of limitation starts running, it will not be put to an

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and even after one year, if the representations are submitted. In any case, even if six months' period for consideration of the representation is to be excluded, still the application is barred by time.

5. As regards the contention that a new post had been created which had been abolished in January, 2002, still the said fact is totally immaterial because there is no prayer made by the applicants that abolition of the post as such is illegal.

6. Taking stock of totality of facts, the OA must fail and is accordingly dismissed as barred by limitation.



(S.A.T. Rizvi)
Member (A)

/sunil/



(V.S. Aggarwal)
Chairman