

(1)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.NO.3117/2002

Tuesday, this the 3rd day of December, 2002

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

R.C. Lahoria
s/o Shri Tota Ram Lahoria
r/o 52 Schoolpura
Prem Nagar, Jhansi.

...Applicant

(By Advocate: Shri Parveen Swaroop)

Versus

1. Union of India through
the Secretary
Ministry of Railways
(Railway Board)
New Delhi
2. The Chief Personnel
Officer (Engineering)
Central Railway, Bombay VT.

...Respondents

O R D E R (ORAL)

Shri Justice V.S. Aggarwal:

On 18.4.1995 in OA-48/91, this Tribunal while
allowing the OA directed the respondents:

"8. In the circumstances, we are of the view that the OA itself can now be disposed of with suitable directions to the respondents. Accordingly, the respondents are directed to consider the question of promotion of the applicant from the post of IOW Grade-I to the higher post in terms of paragraphs 23, 24 and 25 of the judgement of the Full Bench of this Tribunal rendered in V. Lakshminarayanan v. Union of India & Others (CAT (FB) Vol. III 91) making it absolutely clear that any decision by them in this regard will ultimately be subject to the decision of the Supreme Court before whom this matter is pending in appeal."

2. Admittedly, the review petition filed by the applicant had been dismissed.

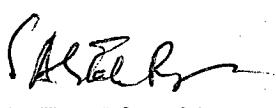
MS Ag

3
(2)

3. By virtue of the present application, the applicant seeks a direction that he should be promoted to the grade of Rs.840-1040/7450-11500 from 8.9.1987 with all consequential benefits instead of 20.6.1997.

4. The record reveals that on 20.6.1997 in terms of the decision of this Tribunal, an order was passed giving the relief to the applicant. It is patent from the aforesaid that cause, if any, in this regard has arisen to the applicant when the order dated 20.6.1997 had been passed, a copy of which is Annexure A-3. The present application has been filed after a period of more than five years of the said order and, therefore, we have no hesitation in holding that it is barred by time.

5. Accordingly, the present OA is dismissed as barred by time.


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


(V.S. Aggarwal)
Chairman

/sunil/