

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.NO.3011/2002

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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)

Shri Ved Ram Singh
s/o Shri Reghuvir Singh
Block-J, House No.J-53
Opposite Mother Dairy, Delhi-92

...Applicant

(By Advocate: Shri E.J. Verghese)

Versus

1. Union of India
through Secretary,
Ministry of Defence (Finance)
South Block, CK, New Delhi-11

2. The Controller General of Defence
Accounts,
West Block V, R.K. Marg, New Delhi-66

...Respondents

O R D E R (ORAL)

Shri Justice V.S. Aggarwal:

The applicant joined the Defence Accounts Service. By virtue of the present application, he seeks that he should be promoted from 27.6.1998, i.e., the date when his batch mates were promoted with consequential benefits.

2. It becomes unnecessary for us to ponder with the other details because the application necessarily has to fail on two counts:

- (a) it is barred by time, and
- (b) the applicant has failed to show that any person junior to him has been granted any monetary benefits/promotion over and above the applicant.

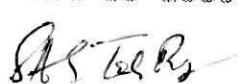
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3. So far as the first ground referred to above by us is concerned, it is obvious from the record that the applicant had represented and his representation had been rejected on 18.12.2000. It was clearly mentioned therein that promotion to the Senior Time Scale is subject to availability of vacancies and there is no rule in accordance with which a person becomes eligible shall automatically be so promoted. The limitation starts running from the time the representation of the applicant was rejected. Merely because if the applicant has chosen to repeatedly write to the Department will not extend the period of limitation.

4. On the second count also, the record has facts to re-state which prompt us to come with the same conclusion that the application is without merit. In the application itself, the applicant is feeling shy of pleading in so many words that persons junior to him have been given any such benefit. He uses the expression "batch mates". It is well known that between the batch mates also, there would be a seniority so fixed and in the absence of any person junior to the applicant having been given any such benefit, we are of the considered opinion that the applicant has little grievance.

5. Resultantly, the OA, being without merit, must fail and is accordingly dismissed.



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



(V.S. Aggarwal)
Chairman

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