

2

Central Administrative Tribunal
Principal Bench, New Delhi

O. A. No. 2151/2002

Wednesday, this the 4th day of September, 2002

Hon'ble Mrs. Lakshmi Swaminathan, Vice Chairman (J)
Hon'ble Mr. S. A. T. Rizvi, Member (A)

Suresh Chandraj
s/o Shri Gangadhar
Ex. Kalasi. T.N. 870, TKD,
Tuglakabad

(By Advocate: Shri S. C. Gupta)

... Applicant

Versus

1. Divisional Rail Manager
Western Railway Kota.
2. General Manager,
Western Railway's
Head Office Churchgate,
Mumbai - 400020
3. Union of India
through its Secretary,
Rail Bhawan, New Delhi.
4. Senior Divisional Electrical
Engineering (TRS)
Western Railway
Tuglakabad, New Delhi.
5. Assistant Electrical Engineering (TRS)
Tuglakabad, New Delhi.

... Respondents

O R D E R (O R A L)

By Shri S. A. T. Rizvi:


Heard.

2. On the charge of unauthorized absence from duty, the respondents proceeded against the applicant departmentally and imposed on him the penalty of reduction to the lower stage in the time scale of pay at Rs. 750/- PM for a period of four years w.e.f. 9.6.1992, which is ^{also} the date on which the order of penalty ^{itself} was issued. The appellate authority, not satisfied with the quantum of penalty imposed, issued a show cause notice on 23.9.1992 (A-A) asking the
- 2

3


applicant to show cause as to why a more severe penalty be not imposed on him. Thereafter, on 28.10.1992 (A-B), the appellate authority passed orders removing the applicant from railway service. Appeal was filed against the aforesaid order dated 28.10.1992 on 14.12.1992 (A-B). It appears from the papers placed on record that no action has been taken by the respondents on the appeal thus filed. However, the applicant has filed several representations in the matter, some of which are placed on record. It appears that his appeal against the enhanced penalty of removal from service was forwarded to the competent authority on 9.3.1995 (A-E). According to the learned counsel appearing on behalf of the applicant, the respondent-authority has not taken any action in the matter and that is why the present OA has ^{been} filed on 30.5.2002.

3. We have considered the submissions made by the learned counsel and find that the present OA is hopelessly barred by time in terms of the provisions of Section 21 of the Administrative Tribunals Act, 1985. It is settled that repeated representations cannot succeed in reviving limitation. The OA is accordingly dismissed as time barred.


(S.A.T. Rizvi)

M (A)

/sunil/


(Mrs. Lakshmi Swaminathan)

VC (J)