

(1)

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

O.A. NO.2381/2001

New Delhi this the 11th day of September, 2001.

**HON'BLE SHRI JUSTICE ASHOK AGARWAL, CHAIRMAN**

**HON'BLE SHRI V.K. MAJOTRA, MEMBER (A)**

Shri Janardan Prashad Srivastava  
S/o Late Shri Kameshwar Prashad  
R/o 44, Venus Apartment Rohtak Road  
Inder Enclave  
New Delhi-110087.

... Applicant

( By Shri Ravendra P.S.Sirohi, Advocate)

-versus-

1. Union of India  
Ministry of Human Resources and  
Development, Govt. of India  
through its Secretary  
Shastri Bhawan  
New Delhi-110001.
2. The Director General  
Archaeological Survey of India  
Janpath, New Delhi-110001.
3. Superintending Archaeologist  
Archaeological Survey of India  
Safdarjang Tomb, Delhi Circle  
New Dellhi.

... Respondents

**O R D E R (ORAL)**

**Justice Ashok Agarwal:-**

By the present OA, applicant claims direction to the respondents to pay him the pay scale of Custodian of Archaeological Survey of India (A.S.I.) for the period 18.2.1982 to 31.1.1987 when he retired on superannuation.

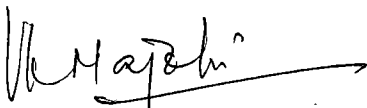
2. Applicant had been appointed as a Care Taker in the A.S.I. in 1954. He was promoted to the post of Conservation Assistant Grade-II in 1982. By an


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order passed on 17.2.1982, he was promoted as Custodian and posted at Qutab Minar. On being so promoted and posted, applicant by his representation of 9.12.1984 at Annexure A-I requested for being paid the pay scale of Custodian of Rs.425-700. He sent various reminders starting from 16.1.1985 and onwards till 25.6.2001. Applicant in the meanwhile retired on superannuation on 31.1.1987.

3. Present OA which has been instituted on 7.9.2001, we find suffers from the vice of delay and laches (see **Ex.Capt.Harish Uppal v. Union of India & ors.**, JT 1994 (3) SC 126). The same is also barred by the law of limitation. Applicant is seen to have made the aforesaid claim way back on 9.12.1984. He ought to have approached this Tribunal on or before 9.6.1986. Repeated unsuccessful representations not provided by law do not enlarge the period of limitation (see **S.S.Rathore v. State of Madhya Pradesh**, AIR 1990 SC 10).

4. Present OA in the circumstances is dismissed in limine as being time barred.

  
(V.K. Majotra)  
Member (A)

  
(Ashok Agarwal)  
Chairman

/sns/