

Central Administrative Tribunal
Principal Bench

O.A. 1673/99

(2)

New Delhi this the 6th day of August, 1999

Hon'ble Smt. Lakshmi Swaminathan, Member(J).

1. Balwant Singh,
S/o Shri Amar Singh,
R/o 1188, Laxmi Bai Nagar,
New Delhi-110023.
2. Sh. Azad Singh,
S/o Sh. Kalyan Singh,
R/o E-40, Kidwai Nagar,
New Delhi.
3. Shri Rajbir Singh,
S/o Shri Mam Chand,
R/o Village Chodali,
PS - Kalyanpuri,
Delhi.

... Applicants.

By Advocate Shri Hardip Singh Dhillon.

Versus

1. Union of India, through
Secretary,
Ministry of Urban Development,
Govt. of India, Nirman Bhawan,
New Delhi.
2. Director General,
C.P.W.D. (Central Public Works Deptt.),
Nirman Bhawan, Govt. of India,
New Delhi.
3. Chief Engineer,
(Elect. 1), CPWD, Vidhyut Bhawan,
Shankar Market, Connaught Place,
New Delhi.
4. Dy. Director of Administration-II,
CPWD, Govt. of India,
Nirman Mahanideshalaya,
Kendriya Lok Nirman Vibhag,
Nirman Bhawan,
New Delhi.

... Respondents.

O R D E R (ORAL)

Hon'ble Smt. Lakshmi Swaminathan, Member(J).

Heard Shri Hardip Singh Dhillon, learned counsel for the applicants. He has submitted that the three applicants are aggrieved by the orders passed by the respondents terminating their services dated 17.4.1985. He submits that a criminal case had been filed against the applicants on the

ground of theft in the department. He has drawn my attention to the order of the learned Metropolitan Magistrate, New Delhi dated 7.11.1990 acquitting the three applicants. (3)

2. This O.A. has been filed on 21.7.1999 praying for a direction to the respondents to reinstate the applicants against the posts of Wireman and Electrical Khalasis, which they held before their termination and for a direction to regularise their services in accordance with law. Learned counsel has submitted that in spite of several representations made by the applicants following their acquittal by the aforesaid order of the criminal court dated 7.11.1990, the respondents have not reinstated them. Hence this O.A.

3. Learned counsel has contended that since the applicants have made repeated representations, the O.A. is not barred by limitation. We find no force in this argument having regard to the settled law by the Supreme Court that repeated unsuccessful representations not provided by law do not enlarge the period of limitation. (See S.S. Rathore Vs. State of M.P. (AIR 1990 SC 10), Bhoop Singh Vs. Union of India & Ors. (JT 1992 (3) SC 322) and R.C. Sammanta & Ors. Vs. Union of India & Ors. (JT 1993 (3) SC 418). In this application, there is not even an MA for condonation of delay. In any case, the applicants are relying on their acquittal order dated 7.11.1990 and the O.A. is filed in July, 99 which itself shows that this O.A. is highly belated and barred by limitation.

4. In the result, the O.A. is dismissed in limine for the reasons given above.

Lakshmi Swaminathan

(Smt. Lakshmi Swaminathan)
Member(J)