

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

OA-1797/99

New Delhi this the 18th day of August, 1999.

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

Sh. Amarjeet Singh,
S/o Sh. Bhartu Ram,
R/o Gali No.1, H.No.19,
Main Sakarpur,
Delhi-92. Applicant

(through Ms. Richa Goyal, advocate)

versus

1. Union of India,
through its Secretary,
Ministry of Communication,
Dept. of Telecommunication,
Sanchar Bhawan, New Delhi.
2. Chief General Manager,
Dept. of Telecom,
Haryana Circle,
Ambala Cantt.
Ambala, Haryana.
3. General Manager,
Dept. of Telecom,
Karnal.
4. Asstt. Engineer(SW Room),
Telephone Exchange,
Karnal-132001.
5. Sub Divl. Officer,
Phones (West), Telephone
Exchange, Karnal-132001. Respondents

ORDER(ORAL)

Heard the learned counsel for the
applicant.

2. The applicant has filed this O.A. on
16.08.99 seeking a direction to respondents to
allow him to rejoin his duties and confer[✓] on him
temporary status from the date he became eligible
for the same.

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3. The learned counsel for the applicant submits that the applicant had worked from 1981 till October 1995 with the respondents Nos. 4 & 5 as casual labour. Thereafter, he became seriously ill and had to go on leave. When he got letter in 1997 he made a representation to the respondents on 06.08.97 (A-3) to take him back on duty. She further submits that this representation of the applicant was duly forwarded by Respondent No.5 on 29.08.97 to the higher authorities for consideration of the applicant's request. However, nothing was heard from the respondents for about seven-eight months, hence the applicant made another representation on 28.06.98 to which also there is no reply. Hence, the learned counsel submits that the O.A. which has been filed on 16.08.99 is within limitation. She also submits that the O.A. is within limitation as the applicant has approached the Tribunal within one year and six months of the second representation dated 28.06.98.

4. From the above facts it is apparent that this application suffers from laches and delay and is hopelessly barred by limitation having regard to the provisions of Section 21 of the Administrative Tribunals Act, 1985. It is noted even a ^{bit} that there is not miscellaneous application for condonation of delay. Admittedly, the applicant had worked with respondents Nos. 4 & 5 only upto

(3)

8.

(A)

October 1995 and thereafter he states that he was unwell. The first representation made by him was on 06.08.97. No doubt he has reminded the respondents again on 28.06.98. However, it is settled law that repeated representations do not extend the period of limitation. As mentioned above, there is no miscellaneous application even praying for condonation of delay giving any reason to enable me to consider the matter whether those reasons are sufficient or not, as provided in Section 21 (3) of the Administrative Tribunals Act, 1985. It is also settled law that a person who sleeps over his remedy, loses his right.

5. In the facts and circumstances of the case, the O.A. is dismissed in limine on the ground that it suffers from laches and delay and is barred by limitation. No costs.

Lakshmi

(Smt. Lakshmi Swaminathan)
Member(J)

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