

3  
CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI

O.A. No.2004 of 1999

New Delhi this the 4th day of October, 1999.

HON'BLE MR. JUSTICE V. RAJAGOPALA REDDY, VICE CHAIRMAN  
HON'BLE MRS. SHANTA SHAstry, MEMBER (A)

Mrs. Beena Budki  
R/o 159B-IIR/M  
G.D.A. Flats, Ghaziabad, presently  
posted at Central School, 1AFS, Arjungarh,  
Delhi. ... Applicant

(By Advocate: Mrs. Mridula Ray Bhardwaj)

-Versus-

Kendriya Vidyalaya Sangathan  
Through  
Chairman, J.N.U. Campus  
18 Institutional Area  
Shaheed Jeet Singh Marg  
New Mehrauli Road  
New Delhi. ... Respondent

(By Advocate: Shri S.M. Arif)

O R D E R (Oral)

By Reddy, J.

Heard the learned counsel for the applicant.

2. We are afraid that this OA is barred by limitation. The impugned order in this OA is the order of appointment of the applicant afresh in the post of Trained Graduate Teacher (Hindi) dated 23.11.1994. The case of the applicant is that she has been working since 1981 and hence the question of fresh appointment will not arise.

3. An application (MA.2131/99) is filed to condone the delay in filing the OA. It is stated in MA.2131/99 that the applicant's representation to the authorities remained unanswered. It is also stated by the learned counsel for the applicant that

*✓*

(U)

.2.

the applicant has been making representations almost every month but they have not been responded.

4. The law is well settled that making repeated representations will not prolong or save period of limitation. It is true that if the applicant was getting lesser pay every month and if the question is only pay fixation, the law of limitation would not come in the way. The learned counsel relies upon M.R. Gupta's case [1995(5) SCC.628]. But this is not a case where the applicant is basically aggrieved by the incorrect fixation of pay. The order that is under challenge in the OA is the order of appointment afresh in 1994. Since she was appointed afresh in 1994, the applicant naturally gets less pay. The adverse order was the order of appointment in 1994. The above decision therefore is not applicable. The OA is accordingly dismissed as barred by limitation. No costs.

*Shanta Shastray*  
(Mrs. Shanta Shastray)  
Member(A)

*Amijmaly*  
(V. Rajagopla Reddy)  
Vice Chairman(J)

dbc