

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

1
O.A. No. 1745 of 1998

New Delhi, this 6th day of November, 1998.

HON'BLE SMT. LAKSHMI SWAMINATHAN, MEMBER (J)
HON'BLE SHRI K. MUTHUKUMAR, MEMBER (A)

Dr Bhaben Chandra Sarma
S/o Shri Jibeswar Sarma
R/o 28 Railway Officers' Colony
P.O. New Bagargaon
District Bagargaon
(Assam)

... Applicant

By Advocate: Shri V.P. Kohli

versus

1. Union of India,
Through the General Manager (P),
GAZ, N.F. Railways,
Maligaon,
(ASSAM).
2. The Hon'ble Minister of Railways,
Ministry of Railways,
Government of India,
NEW DELHI.
3. The Chairman,
Railway Board,
Rail Bhawan,
NE DELHI.
4. The General Manager (P),
GAZ, N.F. Railways,
Maligaon,
(ASSAM).
... Respondents

By Advocate: None

ORDER (oral)

HON'BLE SMT. LAKSHMI SWAMINATHAN, MEMBER (J)

We have heard the learned counsel for the applicant. Learned counsel for the applicant submits that he is aggrieved by the order passed by the respondents dated 24.11.89 (Annexure A-6) against which the applicant had made representations following the order of the Supreme Court in Dr B. Subba Rao Vs Dr Y.P. Ananad & Anr. in C.P. No. 57 of 1992 in WP(C) No. 1609 of 1986 dated April 21, 1995.

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(b)

2. When it was pointed out to the learned counsel for the applicant that the OA which has been filed on 24.4.98, is evidently barred by limitation under Section 21 of the Administrative Tribunals Act, 1985 and there is not even an MA for condonation for delay, he sought an adjournment to file an application for condonation of delay. He has also submitted that he has recently been engaged in this case. We note that several adjournments have already been taken. We have also considered the submissions of the learned counsel on the prayer for condonation of delay.

3. We have considered the above prayer. We are unable to agree with the contention of the learned counsel for the applicant to give another adjournment as we find that this case suffers from laches and delay and is hopelessly barred by limitation. The applicant relies on the judgment of the Hon'ble Supreme Court in Dr B. Subba Rao Vs Dr Y.P. Anand & Anr (supra) which order had been given on 21.4.95. We also note that admittedly repeated representations have been made by the applicant starting from 1.7.95. It is settled law that repeated representations do not extend the period of limitation which in this case will be one year from the date of the cause of action.

4. In the circumstances, we find no good ground to allow this application which is barred by limitation. The OA is accordingly dismissed at the admission stage. No order as to costs.


(K. Muthukumar)
Member 'A'


(Smt. Lakshmi Swaminathan)
Member 'J'