

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

NEW DELHI.

O.A. No. 2368/95

Dated 15-12-1995

Hon'ble Shri N.V. Krishnan, Acting Chairman
Hon'ble Smt. Lakshmi Swaminathan, Member (J)

Anil Kumar
H.No.1/9799, West Gorakh Park,
Shahdara, Delhi-32

...Applicant

(By Advocate Shri Subrat Birla)

Vs.

1. Director General,
Sports Authority of India,
Jawahar Lal Nehru Stadium,
Lodi Road, New Delhi-3
2. Sh. S. C. Sharma,
Deputy Director/APS
Jawahar Lal Nehru Stadium,
Lodi Road, New Delhi-3
3. The Secretary, Ministry of Human
Resource Development and Deptt. of
Youth Affairs and Sports,
Shastri Bhawan, New Delhi.
4. Joint Secretary (Sports)
Sports Authority of India
Deptt. of Youth Affairs & Sports,
Shastri Bhawan, New Delhi.

...Respondents

O R D E R (ORAL)

(Hon'ble Shri N.V. Krishnan, Acting Chairman)

We have heard him. The challenge in the O.A. is to the appointment of respondent No.2. It is stated that in pursuance of the advertisement at Ann.A.1 for the post of Managers Sports Hostels/Assistant Directors, the applicant applied for that post. He was not selected but he was taken on some junior post, on the basis of an earlier selection. He was however from the department. The

second respondent has been appointed as Assistant Director in pursuance of Annexure A.1 advertisement dated 22.11.1988. The applicant challenges this appointment order on the ground that the second respondent is not duly qualified while he has the necessary qualifications. We wanted to know from the learned counsel as to why this OA should not be dismissed on the ground of limitation. He submits that it is only 1992 that he came to know about the appointment of IInd respondent and then he made a representation on 25.2.1992(Ann.A.4 collectively). We have seen that representation. That representation addressed to Director General does not state anywhere that he came to know about the appointment of respondent No.2 in 1992. No doubt, an averment has been made to this effect in para 4.5 of the OA where he states that he came to know after lapse of 3 years that certain other candidates who even did not having the minimum qualifications were appointed as Assistant Director.


2. Though there is a reference in Ann.5 letter dated 24.9.92 regarding the Court case filed by the applicant, learned counsel for the applicant submits that those matters have nothing to do in the present application.

3. We have heard the learned counsel. He has not


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been able to satisfy us on the ground of limitation. We are unable to believe that though the applicant was working in the office, he did not come to know about the appointment of respondent No.2 in time to file OA within the prescribe time limit. That apart, even assuming that he came to know about this only in 1992, still this OA is barred by limitation.

4. In the circumstances, this OA is dismissed as time barred.


(Smt. Lakshmi Swaminathan)

Member (J)


(N.V. Krishnan)

Acting Chairman

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